



# Journal of the House

State of Indiana

119th General Assembly

First Regular Session

Thirty-sixth Day

Thursday Morning

March 26, 2015

The invocation was offered by Representative David N. Frizzell.

The House convened at 10:00 a.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Philip K. GiaQuinta.

The Speaker ordered the roll of the House to be called:

Arnold	Klinker
Austin	Koch
Aylesworth	Lawson <input type="checkbox"/>
Bacon	Lehe
Baird	Lehman
Bartlett	Leonard
Bauer	Lucas
Behning	Macer
Beumer	Mahan
Borders	Mayfield
Braun	McMillin
C. Brown	McNamara
T. Brown	D. Miller
Burton	Moed
Carbaugh	Morris <input type="checkbox"/>
Cherry	Morrison
Clere	Moseley
Cook	Negele
Cox	Niezgodski <input type="checkbox"/>
Culver	Nisly
Davisson	Ober
DeLaney	Olthoff
Dermody	Pelath
DeVon	Pierce
Dvorak <input type="checkbox"/>	Porter
Eberhart	Price
Errington	Pryor
Fine	Rhoads
Forestal	Richardson
Friend	Riecken
Frizzell	Saunders
Frye	Schaibley
GiaQuinta	Shackleford
Goodin	Slager
Gutwein	Smaltz
Hale	M. Smith
Hamm	V. Smith
Harman	Soliday
Heaton	Speedy
Huston	Stemler
Judy	Steuerwald
Karickhoff	Sullivan
Kersey	Summers
Kirchhofer	Thompson

Torr  
Truitt ☐  
Ubelhor ☐  
VanNatter  
Washburne  
Wesco

Wolkins ☐  
Wright  
Zent  
Ziemke ☐  
Mr. Speaker

Roll Call 329: 91 present; 8 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 51

Representatives Davisson, Clere and C. Brown introduced House Concurrent Resolution 51:

A CONCURRENT RESOLUTION honoring Lawrence J. Sage on the occasion of his retirement.

*Whereas, Lawrence J. Sage has been the executive vice president of the Indiana Pharmacists Alliance since January 1, 1998;*

*Whereas, Lawrence served as the executive vice president of the Indiana Pharmacists Association from April 15, 1991, until a merger of the Indiana Pharmacists Association (IPA) and the Indiana Society of Health-System Pharmacists (ISHP) created the alliance;*

*Whereas, Lawrence was the deputy director for the Indiana Health Professions Bureau prior to accepting the position with the Indiana Pharmacists Association and served as the director for the Indiana Board of Pharmacy for two years while with the Health Professions Bureau;*

*Whereas, Lawrence has displayed outstanding leadership qualities and demonstrated honest and ethical behavior in all his professional endeavors throughout the years and has proven his commitment to the alliance and its accomplishments;*

*Whereas, Lawrence received a bachelor's degree in political science and a master's degree in public affairs from Indiana University and is a graduate of the United States Chamber of Commerce Institute for Organizational Development and the Indiana Governors Executive Development Institute;*

*Whereas, Throughout his professional career, Lawrence has effectively and successfully communicated with senators and representatives as well as pharmacy professionals and community leaders in Indiana and across the country and urged young pharmacists to become involved in their state association and take active roles in leadership; and*

*Whereas, Lawrence's hard work and confidence in the association have helped mold the Indiana Pharmacists Alliance into the organization it is today: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly wishes to acknowledge the many contributions made by Lawrence J. Sage to the Indiana Pharmacists Alliance, congratulate him on his retirement, and wish him much happiness and health in the future.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Lawrence J. Sage.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Grooms.

### House Concurrent Resolution 52

Representatives Harris, C. Brown, V. Smith, Fine, Bartlett and Sullivan introduced House Concurrent Resolution 52:

A CONCURRENT RESOLUTION honoring Hugh Brown.

*Whereas, Hugh Brown is the retired president and chief executive officer of BAMS, Inc., a full-service engineering and technical services company that he founded in 1978;*

*Whereas, Under his leadership, BAMS, Inc., provided engineering and technical launch services at the Kennedy Space Center in support of shuttle launch programs, as well as being prime center support contractor at Marshall Space Flight Center, Alabama; Ames Research Center, California; and other NASA centers; as well as major Defense Department installations around the country and internationally, specifically in Spain and Greece;*

*Whereas, BAMS, Inc., was consistently recognized as one of the most successful privately owned firms in the Southeast;*

*Whereas, As an active community and business leader, Hugh Brown advocated success and achievement through a "can do" attitude and believed in the ethics of hard work and treating people with dignity and respect;*

*Whereas, Reflective of his beliefs, Hugh Brown's company motto was "We work hard to earn your confidence. Even harder to retain it."*

*Whereas, Hugh Brown is a strong supporter of young people and is a frequent motivational speaker at college campuses and business forums across the country;*

*Whereas, Hugh Brown currently serves as Honorary Consul, Cote D'Ivoire, is a member of the boards of directors of SunTrust Bank of Orlando, Brown & Brown Insurance, the United Way of Brevard, and the Council for Educational Change;*

*Whereas, Hugh Brown is a past chairman of the Federal Reserve Bank of Atlanta and the Jacksonville branch office of the Federal Reserve Bank of Atlanta, served on the boards of Blue Cross and Blue Shield of Florida, PSS World Medical, the Florida Council of 100, the Governor's Commission on Education, and as chairman of the Florida Space Authority (now called Space Florida);*

*Whereas, Throughout his career, Hugh Brown has won numerous awards, including United States Small Business Administration's 8(a) Graduate of the Year Award, Florida Entrepreneur of the Year, Entrepreneurial Award for Performance Excellence, Junior Achievement Business Hall of Fame for East Central Florida, Small Minority-Owned Business of the Year at the Kennedy Space Center, Southeast Region Minority Small Business Person of the Year, and Small Business Person of the Year in 1985;*

*Whereas, Hugh Brown served in the United States Air Force and graduated from Central State University in Ohio with a bachelor of science degree in mathematics and industrial engineering; and*

*Whereas, With his more than 30 years of industry executive management experience, Hugh Brown has dedicated his life to the betterment of mankind through hard work, dignity, and respect: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly recognizes Hugh Brown for his many accomplishments and his dedication to the youth of our nation.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Hugh Brown.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Randolph

### House Concurrent Resolution 53

Representatives Summers, Bartlett, C. Brown, Harris, Porter, Pryor, Shackleford and V. Smith introduced House Concurrent Resolution 53:

A CONCURRENT RESOLUTION recognizing Alpha Kappa Alpha Day at the Capitol.

*Whereas, Alpha Kappa Alpha Sorority, which has the distinction of being the first sorority established by African American college women, was founded at Howard University in Washington, D.C., in 1908 and has expanded internationally to 850 chapters;*

*Whereas, Indiana hosts 22 of these chapters located on college and university campuses and has active alumnae groups in communities throughout the state;*

*Whereas, Alpha Kappa Alpha is committed to community service and actively contributes to the educational, civic, and social life of Indiana's citizens;*

*Whereas, Alumnae chapters encourage their members to become involved community volunteers in one of their primary service components that include education, health, the economy, arts, and family;*

*Whereas, Alpha Kappa Alpha provides community support through service initiatives identified in the sorority's international platform—Launching New Dimensions of Service – as outlined by Dorothy Buckhanan Wilson, International President;*

*Whereas, Alpha Kappa Alpha plans to accomplish this goal through initiatives like Emerging Young Leaders, Alzheimer's disease and caregiver support, mental health, childhood hunger, fiscal responsibility, and environmental ownership and global impact;*

*Whereas, Alpha Kappa Alpha is dedicated to serving all mankind and has improved the lives of many people throughout the years; and*

*Whereas, This great sisterhood has established a nationally recognized program known as Alpha Kappa Alpha Day at the Capitol: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly recognizes Central Regional Director, Kathy A. Walker-Steele; State Connection Chair, Vanessa J. Summers; and members of the Alpha Kappa Alpha Day at the Capitol for all the good work they accomplish.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Central Regional Director, Kathy A. Walker-Steele; State Connection Chair, Vanessa J. Summers; and members of the Alpha Kappa Alpha Day at the Capitol.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Taylor.

### House Concurrent Resolution 54

Representatives Wolkins, DeLaney and Cherry introduced House Concurrent Resolution 54:

A CONCURRENT RESOLUTION urging the establishment of a joint investigative coalition to study the policy and practices of Indiana electric utilities.

*Whereas, The tree trimming and vegetation management practices of Indiana's electric utilities were the focus of an investigation by the Indiana Utility Regulatory Commission (IURC) that began in April 2009 and concluded in 2012;*

*Whereas, However, the IURC is limited by statutory authority to further investigate all the issues uncovered by this multiyear investigation; and*

*Whereas, A coalition made up of the governor, the attorney general, the leadership of the House of Representatives and the Senate, and the chairperson of the Indiana Utility Regulatory Commission would be better able to conduct a thorough investigation of the issues previously uncovered: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly urges the establishment of a joint investigative coalition to study the policy and practices of Indiana electric utilities.

SECTION 2. That this investigation coalition, if established, should be made up of the governor, the attorney general, the leadership of the House of Representatives and the Senate, and the chairperson of the Indiana Utility Regulatory Commission.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

### House Resolution 33

Representatives Mahan, Baird, Cook, Cox, Culver, Dermody, Errington, Friend, Forestal, Frizzell, GiaQuinta, Goodin, Gutwein, Harman, Heaton, Karickhoff, Kirchhofer, Koch, Lehe, Miller, Olthoff, Rhoads, Richardson, Schaibley, M. Smith, Soliday, Truitt, Ubelhor, Wright and Zent introduced House Resolution 33:

A HOUSE RESOLUTION congratulating Indiana Wesleyan University men's basketball team.

*Whereas, Number five-ranked Indiana Wesleyan won the 2014 National Association of Intercollegiate Athletics (NAIA) Division II Men's Basketball National Championship with a 78-68 victory over number 10-ranked Midland (Nebraska);*

*Whereas, Indiana Wesleyan won all five games in the national tournament by double digits and finished the season with a 31-6 record;*

*Whereas, Led by the 21-point and five-assist effort of Jordan Weidner, the Wildcats captured their first national title in their seventh appearance in the championship tournament;*

*Whereas, In recognition of his extraordinary play, senior Jordan Weidner was named the championship's most outstanding player;*

*Whereas, Indiana Wesleyan never trailed in the championship game and increased its lead to 17 (69-52) with five minutes to go in the game;*

*Whereas, RJ Mahurin was named to the 2014 NAIA Division II Men's Basketball All-Championship Team, Lane Mahurin was given the Championship Hustle Award, and Greg Tonagel was named the NABC/NAIA Division II Coach of the Year;*

*Whereas, The Indiana Wesleyan team was awarded the Dr. James Naismith/Emil Liston Team Sportsmanship Award in recognition of the outstanding sportsmanship it displayed during the tournament; and*

*Whereas, Outstanding athletic accomplishments such as this deserve special recognition: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives congratulates the Indiana Wesleyan University men's basketball team on its 2014 National Association of Intercollegiate Athletics (NAIA) Division II Men's Basketball National Championship and wishes the team members continued success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to each team member, coach Greg Tonagel, and Indiana Wesleyan University President Dr. David Wright.

The resolution was read a first time and adopted by voice vote.

### House Resolution 34

Representatives Frizzell, Leonard and C. Brown introduced House Resolution 34:

A HOUSE RESOLUTION supporting Taiwan's efforts to secure entry to the Trans-Pacific Partnership (TPP) and the signing of Free Trade Agreement (FTA) and Bilateral Investment Agreement (BIA) with the United States and reaffirming support for increasing Taiwan's international profile and for strengthening and expanding sister-state ties between Indiana and Taiwan.

*Whereas, The State of Indiana is proud of the sister-state relationship it has enjoyed with the Republic of China (Taiwan) since 1979 marked by strong bilateral trade, educational and cultural exchange, and tourism;*

*Whereas, Taiwan, as a full-fledged democracy, shares the same values of freedom, democracy, human rights, the rule of law, peace, and prosperity with the United States and the State of Indiana;*

*Whereas, The United States ranks as Taiwan's third largest trading partner; Taiwan is the twelfth largest trading partner of the United States, and bilateral trade reached 57.7 billion dollars in 2013;*

*Whereas, Taiwan and the State of Indiana have enjoyed a long and mutually beneficial relationship with the prospect of future growth, and Taiwan was Indiana's 4th largest export market in Asia in 2013, with 251 million dollars worth of Indiana goods exported to Taiwan, which is 6.45 percent growth from 2012;*

*Whereas, Negotiations for a Bilateral Investment Agreement (BIA) between Taiwan and The United States are an important step toward further strengthening bilateral trade and paving the way for entering into a Free Trade Agreement between our countries, thereby increasing Indiana's exports to Taiwan and creating bilateral investment and technical collaboration through tariff reduction and other trade facilitation measures; and*

*Whereas, Taiwan, seeking greater regional economic integration in the Asia-Pacific region and promotion of bilateral investment and trade relations with the United States, welcomes the opportunity presented by the United States' announcement at the 2011 APEC leaders meeting of the United States' intent not only to join the Trans-Pacific Partnership (TPP), the proposed 21st century trade agreement between the U.S. and 11 other Asia-Pacific Rim countries, but to expand TPP membership in the future to include other countries, such as Taiwan: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives reaffirms its commitment to the strengthening and deepening of the sister-state relationship between Taiwan and the State of Indiana.

SECTION 2. That the Indiana House of Representatives supports Taiwan's efforts to secure entry into the Trans-Pacific Partnership (TPP), and welcomes the signing of Bilateral Investment Agreement (BIA) and Free Trade Agreement (FTA) with the United States;

SECTION 3. That the Indiana House of Representatives continues to support Taiwan's appropriate participation in international organizations which impact the health, safety, and well-being of Taiwan.

SECTION 4. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the members of the Indiana Congressional delegation and the Taipei Economic and Cultural Office in Chicago, Illinois.

The resolution was read a first time and adopted by voice vote.

### House Resolution 35

Representatives Dvorak, Bauer, DeVon, Niezgodski and Zent introduced House Resolution 35:

A HOUSE RESOLUTION memorializing Father Theodore M. Hesburgh.

*Whereas, Father Theodore M. Hesburgh, C.S.C., passed away on Thursday, February 26, 2015, at the age of 97;*

*Whereas, Father Hesburgh led the University of Notre Dame from 1952 through 1987, the longest tenure to date, transforming it into one of the nation's most prestigious and well-known universities;*

*Whereas, During his tenure as President of the University of Notre Dame, Father Hesburgh enlarged the campus, doubled the school's student body, welcomed women for the first time, and incorporated the spirit of open intellectual inquiry and moral engagement that today defines Notre Dame;*

*Whereas, Father Hesburgh championed the civil rights of African Americans, the duty to the poor, and the fundamental human dignity of all persons;*

*Whereas, Father Hesburgh held a number of influential public positions, including terms as a founding member and chairman of the United States Commission on Civil Rights, chairperson of the Overseas Development Council, chairperson of the Select Commission on Immigration and Refugee Policy, and as the permanent representative of the Holy See to the International Atomic Energy Agency in Vienna from 1956 to 1970;*

*Whereas, Father Hesburgh held a variety of appointed positions under four popes and nine presidential administrations;*

*Whereas, In an effort to further commit Notre Dame to the pursuit of fundamental human rights for all, Father Hesburgh*

*helped found the Kellogg Institute for International Studies and the Kroc Institute for International Peace Studies at the University of Notre Dame, as well as the Center for Civil and Human Rights at the university's law school;*

*Whereas, Father Hesburgh was born in Syracuse, New York, on May 25, 1917;*

*Whereas, Since his early childhood, Father Hesburgh wanted to be a priest;*

*Whereas, Father Hesburgh was ordained a priest of the Congregation of Holy Cross on June 24, 1943, in South Bend;*

*Whereas, He studied at Notre Dame until his seminary sent him to Italy and studied in Rome until the outbreak of World War II;*

*Whereas, Father Hesburgh graduated from the Catholic University of America in 1945 with a doctorate in Sacred Theology;*

*Whereas, Father Hesburgh received both the Congressional Gold Medal and the Presidential Medal of Freedom, the nation's highest civilian awards, as well as more than 150 honorary degrees, the most ever awarded to a single individual; and*

*Whereas, Father Theodore M. Hesburgh dedicated his life to God, his country, and Notre Dame: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives honors the memory of this outstanding man of God for his lifetime of dedicated service to all.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the University of Notre Dame.

The resolution was read a first time and adopted by voice vote.

### House Resolution 36

Representatives Shackelford, Bartlett, Baird, Behning, Carbaugh, Culver, Davisson, Dermody, Errington, Forestal, GiaQuinta, Hale, Lawson, Mayfield, Moseley, Negele, Niezgodski, Ober, Olthoff, Pelath, Pryor, Rhoads, Saunders, M. Smith, V. Smith, Truitt, VanNatter, Wright, Clere, Harman, Friend, Frizzell, Karickhoff, Schaibley and Ubelhor introduced House Resolution 36:

A HOUSE RESOLUTION recognizing the National Association of Women Business Owners on the occasion of its 40th anniversary.

*Whereas, Women business owners represent one of the fastest-growing segments of the economy;*

*Whereas, 9.1 million firms are owned by women, employing nearly 7.9 million people, and generating \$1.4 trillion in sales as of 2014;*

*Whereas, There is vast untapped entrepreneurial potential among women in the United States;*

*Whereas, Empowering more women to be business owners and entrepreneurs is critical to our nation's economic future;*

*Whereas, The National Association of Women Business Owners (NAWBO) was established in 1975 by a group of like-minded businesswomen to serve as the collective voice of women business owners across the country and advocate on behalf of their entrepreneurial interests;*

*Whereas, NAWBO proudly has a chapter in Indianapolis with more than 200 members;*

*Whereas, The Indianapolis chapter is the largest of the 60 chapters across the United States; and*

*Whereas, The Indianapolis chapter seeks and provides diversity and inclusion training, community awareness, and member-mentorship programs to advance the sustainability and success of its business community: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives commends the National Association of Women Business Owners for its tireless efforts and decades of support of women entrepreneurs and business owners and congratulates NAWBO on its 40th anniversary.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to the Indianapolis chapter of the National Association of Women Business Owners.

The resolution was read a first time and adopted by voice vote.

### House Resolution 37

Representatives Cook, Friend, Frizzell, Aylesworth, Baird, Bauer, Beumer, Braun, Cherry, Clere, Culver, DeLaney, Dermody, DeVon, Errington, GiaQuinta, Goodin, Harman, Harris, Heaton, Judy, M. Smith, Miller, Moed, Morrison, Moseley, Negele, Olthoff, Pelath, Richardson, Saunders, Thompson, Truitt, VanNatter, Washburne and Wright introduced House Resolution 37:

A HOUSE RESOLUTION honoring Larry "Bud" Wright.

*Whereas, Larry "Bud" Wright became the winningest coach in Indiana high school football history on October 28, 2011, when he won his 369th game;*

*Whereas, Bud now has a 392 - 177 overall record and is still going strong;*

*Whereas, In addition to his amazing achievement, the football stadium is named Bud Wright Stadium in his honor;*

*Whereas, Bud Wright is in his 50th year of coaching football in Indiana, but it's only his 49th season coaching Class A Sheridan High School football;*

*Whereas, Bud has won nine Class A state championships - 1980, 1984, 1987, 1988, 1992, 1998, 2005, 2006, and 2007; a feat no other coach has accomplished at a single school;*

*Whereas, Bud has also led the Sheridan Blackhawks to 10 semi-state, 14 regional, and 19 sectional championships and was inducted into the Indiana High School Football Coaches Hall of Fame on September 28, 2002;*

*Whereas, Football is a family matter for Bud Wright;*

*Whereas, Bud has coached all three of his sons, Kevin (class of 1983), the head coach at Carmel High School, Kent (1986), the head coach at Lebanon High School, and Travis (1996), an assistant at Frankfort High School, and three of his grandsons;*

*Whereas, Bud's daughter, Cheri, is the assistant athletic director at Sheridan High School;*

*Whereas, Born on December 13, 1940, in Frankfort, Indiana, Bud originally planned to coach for 10 years and then go to law school;*

*Whereas, However, he enjoyed coaching football so much he just never left;*

*Whereas, After graduating in 1963 from Ball State University, where he played for two years, Wright took an assistant coaching and teaching position at North Miami, and,*

*in 1965, was hired as the head coach at now-closed Mount Ayr in Newton County;*

*Whereas, After his first team went 1 - 4, Bud applied for the job at his alma mater, Sheridan High School, and, for the first five years, built the program with moderate success;*

*Whereas, In the fall of 1975, Sheridan went 10-0 and the dynasty began; and*

*Whereas, Remarkable accomplishments such as these deserve very special recognition: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives congratulates Larry "Bud" Wright on his 50 outstanding years coaching high school football and thanks him for the role he has played in developing the youth of our state into fine, outstanding young men and women.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to Larry "Bud" Wright and his family.

The resolution was read a first time and adopted by voice vote.

### House Resolution 38

Representative V. Smith introduced House Resolution 38:

A HOUSE RESOLUTION honoring the Gamma Psi Omega Chapter of the Alpha Kappa Alpha Sorority.

*Whereas, The Gamma Psi Omega Chapter of Alpha Kappa Alpha Sorority was chartered in Gary on October 28, 1944;*

*Whereas, Gamma Psi Omega Chapter was founded by Sorors Clemette Armstrong, Ruth H. Battle, Katherine F. Beckman, Kathleen Bingham, Ferne Browne, Alice Butts, Bennie N. Collins, Margaret Graham, Genevieve H. Gray, Clareon Hinkson, Joyce T. Morgan, Evangeline Morse, Frances Renfroe, Jane L. Schell, and Johnnie Upshaw;*

*Whereas, Of the founding members, two became Diamond Sorors with 75 years of service to Alpha Kappa Alpha, Soror Clemette Armstrong and Soror Ruth H. Battle, both now deceased; the last living charter member, Soror Bennie Collins, passed away in the early spring of 2014;*

*Whereas, Gamma Psi Omega was the first chapter chartered in northwest Indiana and the 20th in the Central Region and is the first and only northwest Indiana chapter to have a member on the directorate;*

*Whereas, Gamma Psi Omega is focused on education and mentoring through Adopt-a-School partnerships with various schools in the Gary Community School Corporation where members work with and mentor students of all ages;*

*Whereas, Since 1944, Gamma Psi Omega has awarded approximately \$400,000 in scholarships to Gary area graduating high school seniors for college enrollment;*

*Whereas, Gamma Psi Omega has also received a \$1,000 Alpha Kappa Alpha Regional Award, partnered with the Urban League's "Read & Rise" program, implemented a Young Author's Creativity Program for elementary age students, annually worked with the Boy Scouts Troop 53 and Girl Scouts of St. Timothy Church on community projects, and held informational seminars on the Martin Luther King, Jr. National Holiday, First Responder Disaster and First Aid Training, and financial workshops;*

*Whereas, Active in the community, Gamma Psi Omega partners with organizations such as the Urban League and Northwest Indiana Money Smart, and in various*

*entrepreneurial endeavors, empowerment conferences, global poverty, parades, and emotional health events; and*

*Whereas, Alpha Kappa Alpha and Gamma Psi Omega are dedicated to the service of all mankind and have improved the lives of many people throughout the years: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives recognizes the many contributions of the Gamma Psi Omega Chapter of the Alpha Kappa Alpha Sorority and thanks the members of Gamma Psi Omega for their many hours of service to the nation.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the administration of Gamma Psi Omega.

The resolution was read a first time and adopted by voice vote.

### Senate Concurrent Resolution 41

The Speaker handed down Senate Concurrent Resolution 41, sponsored by Representative C. Brown:

A CONCURRENT RESOLUTION honoring Drake Abramson for his efforts in raising awareness for epilepsy and recognizing Global Epilepsy Awareness Day on March 26, 2015.

*Whereas, Epilepsy is a neurological disorder producing brief disturbances in the normal electrical functions of the brain that temporarily affect a person's consciousness, bodily movements and/or sensations, while creating long term effects on the lifestyle of individuals with epilepsy;*

*Whereas, One in 26 people will develop epilepsy, and one in ten people will have a seizure in their lifetime;*

*Whereas, Epilepsy can affect anyone no matter their gender, race, age, religion, educational background or socio-economic status;*

*Whereas, Epilepsy is more common than Parkinson's disease, multiple sclerosis, muscular dystrophy and cerebral palsy combined;*

*Whereas, Epilepsy affects more than 65 million people worldwide;*

*Whereas, While there is no cure for epilepsy, drug therapy, surgery and other non-pharmacological treatments exist, allowing approximately 80 percent of individuals with epilepsy to lead a normal life with either no seizures or a significant reduction in seizures;*

*Whereas, Epilepsy is a complex disorder that requires further research to find a cure and prevention; and*

*Whereas, the annual observance of Epilepsy Awareness Month advocates for the rights, humane treatment, and appropriate education of all persons with epilepsy, while raising awareness among families, professionals, and the general public to better understand this lifelong disorder: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the Indiana Senate hereby recognizes Drake Abramson for his efforts in raising awareness for Global Epilepsy Awareness Day.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Drake Abramson.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Representatives Dvorak and Ubelhor, who had been excused, are now present.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 7, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 8, delete "thirty (30)" and insert "**ninety (90)**".

Page 2, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 3. IC 9-22-1.5-1.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 1.3. This chapter does not apply to a mobile home that is located in a mobile home community (as defined in IC 16-41-27-5).**"

Page 2, line 24, delete "following".

Page 2, line 24, after "conditions" insert "**set forth in IC 32-30-10.6-5(a)**".

Page 2, line 24, delete "home:" and insert "**home**".

Page 2, delete lines 25 through 40.

Page 3, delete lines 9 through 42, begin a new paragraph and insert:

"SECTION 6. IC 9-22-1.5-3, AS AMENDED BY P.L.262-2013, SECTION 108, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) A property owner shall send notice of a mobile home described in section 2 of this chapter as follows:

(1) To the owner of the mobile home at the last known address of the owner as shown by:

(A) the records of the bureau; or

(B) **if the unique serial number or special identification number assigned to the mobile home is removed or otherwise illegible, the records of the assessor of the county in which the mobile home is located.**

If the property owner is unable to determine the address of the mobile home owner, the property owner may serve the mobile home owner by posting the notice on the mobile home.

(2) To:

(A) a lienholder with a perfected security interest in the mobile home; or

(B) any other person known to claim an interest in the mobile home;

as shown by the records of the bureau.

Notice under this subsection must include a description of the mobile home, **the location of the mobile home**, and a conspicuous statement that the mobile home is on the owner's property without the owner's permission. If the owner of a mobile home changes the owner's address from that maintained in the records of the bureau, the owner shall immediately notify the property owner of the new address.

(b) A property owner may provide notice under subsection (a) by the following methods:

(1) Certified mail, return receipt requested.

(2) Personal delivery.

(3) Electronic service under IC 9-22-1-19.

(c) If, before the thirty (30) day period described in section 2 of this chapter expires, the mobile home owner requests by certified mail, return receipt requested, additional time to remove the mobile home, the period described in section 2 of

this chapter shall be extended by an additional thirty (30) days. The mobile home owner may only request one (1) thirty (30) day extension of time."

Page 4, delete lines 1 through 9.

Page 4, line 23, strike "and".

Page 4, line 23, after "and to" begin a new line double block indented and insert:

"(C)".

Page 4, line 23, reset in roman "all other persons known to claim an".

Page 4, line 24, reset in roman "interest in the mobile home."

Page 4, line 24, delete "home." and insert "home; and".

Page 4, line 25, delete "(C)" and insert "(D)".

Renumber all SECTIONS consecutively.

(Reference is to SB 7 as reprinted February 6, 2015.)  
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

SOLIDAY, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 80, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 80 as printed February 18, 2015.)

Committee Vote: Yeas 20, Nays 0.

BROWN T, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 137, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 31-32-6-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) Except as provided in subsection (b), all matters in juvenile court shall be tried to the court.

(b) A trial of an adult charged with a crime shall be tried to a jury unless:

(1) the adult requests a bench trial; or

(2) the adult waives the right to a jury trial under the Indiana Rules of Criminal Procedure."

Page 1, after line 15, begin a new paragraph and insert:

"SECTION 3. IC 35-37-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. The defendant and prosecuting attorney, with the assent of the court, may submit the trial to the court. **Unless a defendant waives the right to a jury trial under the Indiana Rules of Criminal Procedure**, all other trials must be by jury."

Renumber all SECTIONS consecutively.

(Reference is to SB 137 as printed January 23, 2015.)  
and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

WASHBURNE, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 174, has had the same under consideration and begs leave to report the same back to the

House with the recommendation that said bill be amended as follows:

Page 1, between lines 13 and 14, begin a new paragraph and insert:

"(c) Except as provided in subsections (k) and (m), this section does not apply to a violent criminal."

Page 1, line 14, delete "(c)" and insert "(d)".

Page 2, line 20, delete "(d)" and insert "(e)".

Page 2, line 33, delete "(e)" and insert "(f)".

Page 2, line 37, delete "(f)" and insert "(g)".

Page 2, line 39, delete "(g)" and insert "(h)".

Page 2, line 41, delete "(h)" and insert "(i)".

Page 3, line 6, delete "(i)" and insert "(j)".

Page 3, line 15, delete "(j)" and insert "(k)".

Page 3, line 16, delete "may file a" and insert "**may, not later than three hundred sixty-five (365) days from the date of sentencing, file one (1)**".

Page 3, line 17, delete "not more than" and insert "**without the consent of the prosecuting attorney. After the elapse of the three hundred sixty-five (365) day period, a violent criminal may not file a petition for sentence modification without the consent of the prosecuting attorney.**".

Page 3, delete line 18.

Page 3, line 19, delete "(k)" and insert "(l)".

Page 3, line 26, delete "(l)" and insert "(m)".

Page 3, line 26, delete "(j)," and insert "(k)".

Page 3, line 26, delete "convicted".

Page 3, line 27, delete "committed" and insert "**commits**".

(Reference is to SB 174 as reprinted February 10, 2015.)  
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

WASHBURNE, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 242, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, line 10, delete "shall" and insert "**may**".

(Reference is to SB 242 as reprinted February 24, 2015.)  
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

SOLIDAY, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 261, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 6, delete "(a)".

Page 2, delete lines 16 through 18.

(Reference is to SB 261 as printed January 30, 2015.)  
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

WASHBURNE, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 294, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 294 as reprinted February 24, 2015.)  
Committee Vote: Yeas 11, Nays 0.

CLERE, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred Senate Bill 297, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 297 as reprinted February 24, 2015.)  
Committee Vote: Yeas 12, Nays 0.

DERMODY, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 358, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Page 7, after line 15, begin a new paragraph and insert:

"SECTION 3. IC 35-48-7-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 2.5. As used in this chapter, "committee" refers to the INSPECT oversight committee established by section 17 of this chapter.**

SECTION 4. IC 35-48-7-8.1, AS AMENDED BY P.L.131-2014, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8.1. (a) The board shall provide for a controlled substance prescription monitoring program that includes the following components:

(1) Each time a controlled substance designated by the board under IC 35-48-2-5 through IC 35-48-2-10 is dispensed, the dispenser shall transmit to the INSPECT program the following information:

- (A) The controlled substance recipient's name.
- (B) The controlled substance recipient's or the recipient representative's identification number or the identification number or phrase designated by the INSPECT program.
- (C) The controlled substance recipient's date of birth.
- (D) The national drug code number of the controlled substance dispensed.
- (E) The date the controlled substance is dispensed.
- (F) The quantity of the controlled substance dispensed.
- (G) The number of days of supply dispensed.
- (H) The dispenser's United States Drug Enforcement Agency registration number.
- (I) The prescriber's United States Drug Enforcement Agency registration number.
- (J) An indication as to whether the prescription was transmitted to the pharmacist orally or in writing.
- (K) Other data required by the board.

(2) The information required to be transmitted under this section must be transmitted as follows:

- (A) Before July 1, 2015, not more than seven (7) days after the date on which a controlled substance is dispensed.
- (B) Beginning July 1, 2015, and until December 31, 2015, not more than three (3) days after the date on which a controlled substance is dispensed.
- (C) Beginning January 1, 2016, and thereafter, not more than twenty-four (24) hours after the date on which a controlled substance is dispensed. **However, if**

**the dispenser's pharmacy is closed the day following the dispensing, the information must be transmitted by the end of the next business day.**

(3) A dispenser shall transmit the information required under this section by:

- (A) uploading to the INSPECT web site;
- (B) a computer diskette; or
- (C) a CD-ROM disk;

that meets specifications prescribed by the board.

(4) The board may require that prescriptions for controlled substances be written on a one (1) part form that cannot be duplicated. However, the board may not apply such a requirement to prescriptions filled at a pharmacy with a Category II permit (as described in IC 25-26-13-17) and operated by a hospital licensed under IC 16-21, or prescriptions ordered for and dispensed to bona fide enrolled patients in facilities licensed under IC 16-28. The board may not require multiple copy prescription forms for any prescriptions written. The board may not require different prescription forms for any individual drug or group of drugs. Prescription forms required under this subdivision must be approved by the Indiana board of pharmacy established by IC 25-26-13-3.

(5) The costs of the program.

**(b) The board shall consider the recommendations of the committee concerning the INSPECT program.**

~~(b)~~ (c) This subsection applies only to a retail pharmacy. A pharmacist, pharmacy technician, or person authorized by a pharmacist to dispense a controlled substance may not dispense a controlled substance to a person who is not personally known to the pharmacist, pharmacy technician, or person authorized by a pharmacist to dispense a controlled substance unless the person taking possession of the controlled substance provides documented proof of the person's identification to the pharmacist, pharmacy technician, or person authorized by a pharmacist to dispense a controlled substance.

SECTION 5. IC 35-48-7-10.1, AS AMENDED BY P.L.84-2010, SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10.1. (a) The INSPECT program must do the following:

(1) Create a data base for information required to be transmitted under section 8.1 of this chapter in the form required under rules adopted by the board, including search capability for the following:

- (A) A controlled substance recipient's name.
- (B) A controlled substance recipient's or recipient representative's identification number.
- (C) A controlled substance recipient's date of birth.
- (D) The national drug code number of a controlled substance dispensed.
- (E) The dates a controlled substance is dispensed.
- (F) The quantities of a controlled substance dispensed.
- (G) The number of days of supply dispensed.
- (H) A dispenser's United States Drug Enforcement Agency registration number.
- (I) A prescriber's United States Drug Enforcement Agency registration number.
- (J) Whether a prescription was transmitted to the pharmacist orally or in writing.
- (K) A controlled substance recipient's method of payment for the controlled substance dispensed.

(2) Provide the board with continuing twenty-four (24) hour a day online access to the data base.

(3) Secure the information collected and the data base maintained against access by unauthorized persons.

(b) The board may **not** execute a contract with a vendor designated by the board to perform any function associated with the administration of the INSPECT program, **unless the contract has been approved by the committee.**

(c) The INSPECT program may gather prescription data from



the Medicaid retrospective drug utilization review (DUR) program established under IC 12-15-35.

(d) The board may accept and designate grants, public and private financial assistance, and licensure fees to provide funding for the INSPECT program.

SECTION 6. IC 35-48-7-12.1, AS AMENDED BY P.L.131-2014, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 12.1. (a) The board shall adopt rules under IC 4-22-2 to implement this chapter, including the following:

(1) Information collection and retrieval procedures for the INSPECT program, including the controlled substances to be included in the program required under section 8.1 of this chapter.

(2) Design for the creation of the data base required under section 10.1 of this chapter.

(3) Requirements for the development and installation of online electronic access by the board to information collected by the INSPECT program.

(4) Identification of emergency situations or other circumstances in which a practitioner may prescribe, dispense, and administer a prescription drug specified in section 8.1 of this chapter without a written prescription or on a form other than a form specified in section 8.1(a)(4) of this chapter.

(5) Requirements for a practitioner providing treatment for a patient at an opioid treatment program operating under IC 12-23-18 to check the INSPECT program:

(A) before initially prescribing a controlled substance to a patient; and

(B) periodically during the course of treatment that uses a controlled substance.

(b) The board may:

(1) set standards for education courses for individuals authorized to use the INSPECT program;

(2) identify treatment programs for individuals addicted to controlled substances monitored by the INSPECT program; and

(3) work with impaired practitioner associations to provide intervention and treatment.

(c) **The executive director of the Indiana professional licensing agency may hire a person to serve as the director of the INSPECT program, with the approval of the chairperson of the board.**

SECTION 7. IC 35-48-7-17 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 17. (a) **The INSPECT oversight committee is established.**

(b) **The committee consists of the following members:**

(1) **The president of the board or the president's designee, who shall serve as the chairperson of the committee.**

(2) **The commissioner of the state department of health or the commissioner's designee.**

(3) **The superintendent of the state police department or the superintendent's designee.**

(4) **The attorney general or the attorney general's designee.**

(5) **Two (2) lay members who are authorized users of the INSPECT program appointed by the president pro tempore of the senate, not more than one (1) of whom may be affiliated with the same political party.**

(6) **Two (2) lay members who are authorized users of the INSPECT program appointed by the speaker of the house of representatives, not more than one (1) of whom may be affiliated with the same political party.**

(c) **The committee shall provide recommendations to the board concerning the implementation of policies, standards, and rules that promote the effective operation of the program.**

(d) **The committee shall meet:**

(1) **at least once each calendar year; and**

(2) **at the call of the chairperson.**

(e) **Except as provided in subsection (f), the term of a member of the committee appointed under this section is four (4) years. The term of a member of the committee expires July 1, but a member may continue to serve on the committee until a successor is appointed.**

(f) **The initial terms for the members appointed under this section are as follows:**

(1) **One (1) member appointed under subsection (b)(5) has a term of four (4) years.**

(2) **One (1) member appointed under subsection (b)(6) has a term of three (3) years.**

(3) **One (1) member appointed under subsection (b)(5) has a term of two (2) years.**

(4) **One (1) member appointed under subsection (b)(6) has a term of one (1) year.**

**This subsection expires July 1, 2019.**

SECTION 8. [EFFECTIVE JULY 1, 2015] (a) **Notwithstanding 410 IAC 17-9-20, for purposes of 410 IAC 17, the term "medication assistance" means the provision of assistance:**

(1) **through providing reminders or cues to take medication, the opening of preset medication containers, and providing assistance in the handling or ingesting of medications, including controlled substances, prescription drugs, eye drops, herbs, supplements, and over-the-counter medications; and**  
(2) **to an individual who is unable to accomplish the task due to an impairment and who is:**

(A) **competent and has directed the services; or**

(B) **incompetent and has the services directed by a competent individual who may consent to health care for the impaired individual.**

(b) **Before July 1, 2016, the state department of health shall adopt rules under IC 4-22-2 to amend 410 IAC 17-9-20 to adopt the definition of "medical assistance" as set forth in subsection (a).**

(c) **This SECTION expires on the earlier of the following:**

(1) **The date that rules are adopted under subsection (b).**

(2) **January 1, 2017."**

Renumber all SECTIONS consecutively.

(Reference is to SB 358 as reprinted January 30, 2015.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

CLERE, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 370, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 4, delete "Historical Plane" and insert "Warbird".

Page 2, line 7, delete "historical plane" and insert "warbird".

(Reference is to SB 370 as printed February 6, 2015.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

FRYE R, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 372, has had the same under

consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 372 as printed January 28, 2015.)

Committee Vote: Yeas 21, Nays 0.

BROWN, T, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Financial Institutions, to which was referred Senate Bill 373, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 4, begin a new paragraph and insert:

"SECTION 1. IC 4-21.5-3-6, AS AMENDED BY P.L.153-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) Notice shall be given under this section concerning the following:

- (1) A safety order under IC 22-8-1.1.
- (2) Any order that:
  - (A) imposes a sanction on a person or terminates a legal right, duty, privilege, immunity, or other legal interest of a person;
  - (B) is not described in section 4 or 5 of this chapter or IC 4-21.5-4; and
  - (C) by statute becomes effective without a proceeding under this chapter if there is no request for a review of the order within a specified period after the order is issued or served.
- (3) A notice of program reimbursement or equivalent determination or other notice regarding a hospital's reimbursement issued by the office of Medicaid policy and planning or by a contractor of the office of Medicaid policy and planning regarding a hospital's year end cost settlement.
- (4) A determination of audit findings or an equivalent determination by the office of Medicaid policy and planning or by a contractor of the office of Medicaid policy and planning arising from a Medicaid postpayment or concurrent audit of a hospital's Medicaid claims.
- (5) A license **suspension or revocation** under:
  - (A) IC 24-4.4-2;
  - (B) IC 24-4.5-3;
  - (C) IC 28-1-29;
  - (D) IC 28-7-5;
  - (E) IC 28-8-4; or
  - (F) IC 28-8-5.
- (6) An order issued by the:
  - (A) division of aging or the bureau of aging services; or
  - (B) division of disability and rehabilitative services or the bureau of developmental disabilities services;
 against providers regulated by the division of aging or the bureau of developmental disabilities services and not licensed by the state department of health under IC 16-27 or IC 16-28.
- (7) **The denial, suspension, or revocation of a certificate of registration under IC 24-4.3.**

(b) When an agency issues an order described by subsection (a), the agency shall give notice to the following persons:

- (1) Each person to whom the order is specifically directed.
- (2) Each person to whom a law requires notice to be given.

A person who is entitled to notice under this subsection is not a party to any proceeding resulting from the grant of a petition for review under section 7 of this chapter unless the person is designated as a party in the record of the proceeding.

(c) The notice must include the following:

- (1) A brief description of the order.
- (2) A brief explanation of the available procedures and the time limit for seeking administrative review of the order under section 7 of this chapter.
- (3) Any other information required by law.

(d) An order described in subsection (a) is effective fifteen (15) days after the order is served, unless a statute other than this article specifies a different date or the agency specifies a later date in its order. This subsection does not preclude an agency from issuing, under IC 4-21.5-4, an emergency or other temporary order concerning the subject of an order described in subsection (a).

(e) If a petition for review of an order described in subsection (a) is filed within the period set by section 7 of this chapter and a petition for stay of effectiveness of the order is filed by a party or another person who has a pending petition for intervention in the proceeding, an administrative law judge shall, as soon as practicable, conduct a preliminary hearing to determine whether the order should be stayed in whole or in part. The burden of proof in the preliminary hearing is on the person seeking the stay. The administrative law judge may stay the order in whole or in part. The order concerning the stay may be issued after an order described in subsection (a) becomes effective. The resulting order concerning the stay shall be served on the parties and any person who has a pending petition for intervention in the proceeding. It must include a statement of the facts and law on which it is based.

SECTION 2. IC 4-21.5-3-7, AS AMENDED BY P.L.6-2012, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) To qualify for review of a personnel action to which IC 4-15-2.2 applies, a person must comply with IC 4-15-2.2-42. To qualify for review of any other order described in section 4, 5, or 6 of this chapter, a person must petition for review in a writing that does the following:

- (1) States facts demonstrating that:
  - (A) the petitioner is a person to whom the order is specifically directed;
  - (B) the petitioner is aggrieved or adversely affected by the order; or
  - (C) the petitioner is entitled to review under any law.
- (2) Includes, with respect to determinations of notice of program reimbursement and audit findings described in section 6(a)(3) and 6(a)(4) of this chapter, a statement of issues that includes:
  - (A) the specific findings, action, or determination of the office of Medicaid policy and planning or of a contractor of the office of Medicaid policy and planning from which the provider is appealing;
  - (B) the reason the provider believes that the finding, action, or determination of the office of Medicaid policy and planning or of a contractor of the office of Medicaid policy and planning was in error; and
  - (C) with respect to each finding, action, or determination of the office of Medicaid policy and planning or of a contractor of the office of Medicaid policy and planning, the statutes or rules that support the provider's contentions of error.

Not more than thirty (30) days after filing a petition for review under this section, and upon a finding of good cause by the administrative law judge, a person may amend the statement of issues contained in a petition for review to add one (1) or more additional issues.

(3) Is filed:

- (A) with respect to an order described in section 4, 5, 6(a)(1), 6(a)(2), ~~or 6(a)(5), or 6(a)(7)~~ of this chapter, with the ultimate authority for the agency issuing the order within fifteen (15) days after the person is given notice of the order or any longer period set by statute; or

(B) with respect to a determination described in section 6(a)(3) or 6(a)(4) of this chapter, with the office of Medicaid policy and planning not more than one hundred eighty (180) days after the hospital is provided notice of the determination.

The issuance of an amended notice of program reimbursement by the office of Medicaid policy and planning does not extend the time within which a hospital must file a petition for review from the original notice of program reimbursement under clause (B), except for matters that are the subject of the amended notice of program reimbursement.

If the petition for review is denied, the petition shall be treated as a petition for intervention in any review initiated under subsection (d).

(b) If an agency denies a petition for review under subsection (a) and the petitioner is not allowed to intervene as a party in a proceeding resulting from the grant of the petition for review of another person, the agency shall serve a written notice on the petitioner that includes the following:

- (1) A statement that the petition for review is denied.
- (2) A brief explanation of the available procedures and the time limit for seeking administrative review of the denial under subsection (c).

(c) An agency shall assign an administrative law judge to conduct a preliminary hearing on the issue of whether a person is qualified under subsection (a) to obtain review of an order when a person requests reconsideration of the denial of review in a writing that:

- (1) states facts demonstrating that the person filed a petition for review of an order described in section 4, 5, or 6 of this chapter;
- (2) states facts demonstrating that the person was denied review without an evidentiary hearing; and
- (3) is filed with the ultimate authority for the agency denying the review within fifteen (15) days after the notice required by subsection (b) was served on the petitioner.

Notice of the preliminary hearing shall be given to the parties, each person who has a pending petition for intervention in the proceeding, and any other person described by section 5(d) of this chapter. The resulting order must be served on the persons to whom notice of the preliminary hearing must be given and include a statement of the facts and law on which it is based.

(d) If a petition for review is granted, the petitioner becomes a party to the proceeding and the agency shall assign the matter to an administrative law judge or certify the matter to another agency for the assignment of an administrative law judge (if a statute transfers responsibility for a hearing on the matter to another agency). The agency granting the administrative review or the agency to which the matter is transferred may conduct informal proceedings to settle the matter to the extent allowed by law.

**SECTION 3. IC 24-4.3 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:**

#### **ARTICLE 4.3. CIVIL PROCEEDING ADVANCE PAYMENT TRANSACTIONS**

##### **Chapter 1. Application, Construction, and Definitions**

##### **Sec. 1. This article applies to:**

- (1) civil proceeding advance payment transactions; and
- (2) civil proceeding advance payment contracts; offered or entered into after June 30, 2015.

**Sec. 2. (a) As used in this article, "charge", with respect to a CPAP transaction, means an amount that:**

- (1) is imposed by a CPAP provider and payable or assignable by or on behalf of a consumer claimant; and
- (2) is in addition to the funded amount and the contract amount;

**regardless of the term used by the CPAP provider in the**

**CPAP contract to identify the amount, or of how the amount is determined or calculated by the CPAP provider.**

**(b) The term includes any:**

- (1) administrative, origination, or underwriting fee;
- (2) case review, case servicing, or document management fee; or
- (3) other fee related to services provided or costs incurred by the CPAP provider in connection with the CPAP transaction;

**imposed by the CPAP provider and payable or assignable by or on behalf of the consumer claimant, regardless of the term used by the CPAP provider in the CPAP contract to identify the amount, or of how the amount is determined or calculated by the CPAP provider.**

**Sec. 3. (a) As used in this article, "civil proceeding" means:**

- (1) a civil action;
- (2) a mediation, an arbitration, or any other alternative dispute resolution proceeding; or
- (3) an administrative proceeding before:
  - (A) an agency or instrumentality of the state; or
  - (B) a political subdivision, or an agency or instrumentality of a political subdivision, of the state;

**that is filed in, or is under the jurisdiction of, a court with jurisdiction in Indiana, a tribunal in Indiana, or an agency or instrumentality described in subdivision (3) in Indiana.**

**(b) The term includes all proceedings arising out of or relating to the proceeding described in subsection (a), including any:**

- (1) proceedings on appeal or remand; and
- (2) enforcement, ancillary, or parallel proceedings.

**Sec. 4. As used in this article, "civil proceeding advance payment contract", or "CPAP contract", means a contract for a CPAP transaction that a CPAP provider enters into, or offers to enter into, with a consumer claimant.**

**Sec. 5. (a) As used in this article, "civil proceeding advance payment provider", or "CPAP provider", means a person that:**

- (1) enters into, or offers to enter into, a CPAP transaction with a consumer claimant in connection with a civil proceeding; and
- (2) is registered with, or is required to be registered with, the department under IC 24-4.3-2.

**(b) The term does not include any of the following:**

- (1) An immediate family member of a consumer claimant.
- (2) A financial institution, a creditor subject to IC 24-4.5, or any other person:
  - (A) that provides financing to a CPAP provider; or
  - (B) to whom a CPAP provider grants a security interest or assigns any rights or interest in a CPAP transaction.

- (3) An attorney, an accountant, a tax consultant, a public or private benefits planning professional, or a financial professional who provides services to a consumer claimant in connection with a civil proceeding.

**Sec. 6. (a) As used in this article, "civil proceeding advance payment transaction", or "CPAP transaction", means a nonrecourse transaction in which a CPAP provider provides a funded amount to a consumer claimant to use for any purpose other than prosecuting the consumer claimant's civil proceeding, if the repayment of the funded amount is:**

- (1) required only if the consumer claimant prevails in the civil proceeding; and
- (2) sourced from the proceeds of the civil proceeding, whether the proceeds result from a judgment, a settlement, or some other resolution.

**(b) The term includes a transaction:**

- (1) that is structured as a purchase; and

(2) in which the CPAP provider purchases from the consumer claimant a contingent right to receive a share of the potential proceeds of the consumer claimant's civil proceeding, whether the proceeds result from a judgment, a settlement, or some other resolution.

Sec. 7. As used in this article, "consumer claimant" means an individual:

- (1) who is or may become a plaintiff, a claimant, or a demandant in a civil proceeding; and
- (2) who:
  - (A) is offered a CPAP transaction by a CPAP provider; or
  - (B) enters into a CPAP transaction with a CPAP provider;

regardless of whether the individual is a resident of Indiana.

Sec. 8. (a) As used in this article, "contract amount", with respect to a CPAP transaction, means an amount that is:

- (1) in addition to the funded amount;
- (2) payable or assignable to the CPAP provider only if the consumer claimant prevails in the consumer claimant's civil proceeding; and
- (3) sourced from the proceeds of the civil proceeding, whether the proceeds result from a judgment, a settlement, or some other resolution;

regardless of the term used by the CPAP provider in the CPAP contract to identify the amount, or of how the amount is determined or calculated by the CPAP provider.

(b) The term does not include charges.

Sec. 9. As used in this article, "department" refers to the members of the department of financial institutions.

Sec. 10. As used in this article, "director" refers to the director of the department of financial institutions or the director's designee.

Sec. 11. (a) As used in this article, "funded amount", with respect to a CPAP transaction, means the amount of money:

- (1) that is provided to the consumer claimant by the CPAP provider; and
- (2) the repayment of which is:
  - (A) required only if the consumer claimant prevails in the consumer claimant's civil proceeding; and
  - (B) sourced from the proceeds of the civil proceeding, whether the proceeds result from a judgment, a settlement, or some other resolution;

regardless of the term used by the CPAP provider in the CPAP contract to identify the amount.

(b) In the case of a CPAP transaction described in section 6(b) of this chapter, the term means the price:

- (1) that is paid by the CPAP provider in purchasing from the consumer claimant a contingent right to receive a share of the potential proceeds of the consumer claimant's civil proceeding; and
- (2) the amount of which must be repaid only:
  - (A) if the consumer claimant prevails in the consumer claimant's civil proceeding; and
  - (B) from the proceeds of the civil proceeding, whether the proceeds result from a judgment, a settlement, or some other resolution;

regardless of the term used by the CPAP provider in the CPAP contract to identify the amount.

(c) The term does not include:

- (1) the contract amount; or
- (2) charges.

Sec. 12. As used in this article, "funding date", with respect to a CPAP transaction, means the date on which a CPAP provider transfers the funded amount to the consumer claimant by:

- (1) personal delivery;
- (2) wire, automated clearing house, or other electronic means; or
- (3) insured, certified, or registered United States mail.

## Chapter 2. Registration of CPAP Providers With the Department

Sec. 1. Except as provided in section 2(g) of this chapter, after June 30, 2015, a person may not enter into, or offer to enter into, a CPAP transaction with a consumer claimant, or otherwise engage in business as a CPAP provider:

- (1) except as authorized by this article; and
- (2) unless the person first receives a certificate of registration from the department under this chapter.

Sec. 2. (a) An applicant for a certificate of registration under this chapter shall file an application with the department in the form and manner prescribed by the director. An application form prescribed by the director under this chapter must require the applicant to provide the information that the director determines is necessary to evaluate the character and fitness of the applicant.

(b) The department may issue a certificate of registration under this chapter if the department finds that an applicant's business will be operated honestly and fairly within the purposes of this article. If the department denies an application under this chapter, the director shall provide to the applicant a written notice stating that the application has been denied and setting forth the reasons for the denial. In rules adopted under:

- (1) section 4 of this chapter; or
- (2) IC 24-4.3-5-5;

the department may set forth circumstances under which a certificate issued under this chapter may be revoked or suspended for cause, including the failure of any applicant or certificate holder to pay an application fee or a renewal fee described in subsection (f). A notice of a denial, revocation, or suspension issued by the department under this subsection is effective in accordance with IC 4-21.5-3-6(d).

(c) Upon written request, an applicant for a certificate of registration under this chapter is entitled to an administrative review, in the manner provided in IC 4-21.5, of the issue of the applicant's qualifications for a certificate of registration under this chapter if either of the following applies:

- (1) The director provides to the applicant a written notice that the applicant's application has been denied, as described in subsection (b), and the applicant files a timely request for a review under IC 4-21.5-3-7.
- (2) The department does not issue a decision on the applicant's application not later than sixty (60) days after the date the application is filed, and the applicant files a request for an administrative review in accordance with the procedures set forth in IC 4-21.5-3-7 not later than seventy-five (75) days after the date the application is filed.

(d) A certificate of registration issued by the department under this chapter must be renewed with the department on the dates and in the manner and form prescribed by the director, but not less frequently than every two (2) years.

(e) If, at any time, any information contained in:

- (1) an initial application under subsection (a); or
- (2) a renewal form or application under subsection (d);

is or becomes inaccurate or incomplete in a material respect, the applicant or registered CPAP provider promptly shall file a correcting amendment with the department in the form and manner prescribed by the director.

(f) The department may establish, in an amount fixed by the department under IC 28-11-3-5, either of the following to cover the department's expenses in administering this article:

- (1) An application fee that an applicant must submit with an initial application under subsection (a).
- (2) A renewal fee that a registered CPAP provider must submit with a renewal form or application under subsection (d).

The department may impose a fee under IC 28-11-3-5 for each day that an application fee or a renewal fee, or any related documents that are required to be submitted with an initial application or a renewal application, are delinquent.

(g) Notwithstanding subsection (a), a person that:

(1) before May 13, 2015, enters into one (1) or more CPAP transactions that are:

(A) made with a consumer claimant in connection with a civil proceeding; and

(B) outstanding on July 1, 2015; and

(2) submits an application for registration under this chapter to the department after June 30, 2015, and before January 1, 2016;

may enter into, or offer to enter into, a CPAP transaction with a consumer claimant, or otherwise engage in business as a CPAP provider, while the person's application for registration under this chapter is pending with the department. However, if the department denies the person's application under this chapter, the person may not enter into, or offer to enter into, any new CPAP transaction during the period beginning on the effective date of the department's denial under subsection (b) and ending on the effective date of any certificate of registration subsequently issued to the person by the department under this chapter, subject to the person's right to a review under subsection (c) and to any right to a stay or an appeal of the denial available under IC 4-21.5. A CPAP transaction entered into by the person before the effective date of the department's denial under subsection (b) is not subject to this article, and a CPAP contract entered into by the person and a consumer claimant before the effective date of the department's denial under subsection (b) remains in effect according to its terms, notwithstanding the department's denial of an application described in subdivision (2).

Sec. 3. (a) Each application for a certificate of registration under section 2 of this chapter must be accompanied by proof that the applicant has executed a surety bond in accordance with this section.

(b) A surety bond issued under this section must:

(1) be in a form prescribed by the director;

(2) be in effect during the term of the certificate of registration issued under this chapter;

(3) be payable to the department for the benefit of:

(A) the state; and

(B) consumer claimants who enter into a CPAP transaction with the CPAP provider;

(4) be in an amount determined by the director, but not greater than fifty thousand dollars (\$50,000); and

(5) have payment conditioned upon the CPAP provider's or any of the CPAP provider's employees' or agents' noncompliance with or violation of this article or other applicable federal or state laws or regulations.

(c) Beginning with the first renewal of a certificate of registration under this chapter, for each renewal period that a registered CPAP provider continues to engage in business as a CPAP provider in connection with any civil proceedings, the registered CPAP provider shall file a new or an additional surety bond in an amount that ensures that the registered CPAP provider's surety bond under this section is equal to the amount determined by the director under subsection (b)(4).

(d) If the principal amount of a surety bond required under this section is reduced by payment of a claim or judgment, the registered CPAP provider for whom the bond is issued shall immediately notify the director of the reduction and, not later than thirty (30) days after notice by the director, file a new or an additional surety bond in an amount set by the director. The amount of the new or additional bond set by the director must be at least the amount of the bond before payment of the claim or

judgment.

(e) If for any reason a surety terminates a bond issued under this section, the registered CPAP provider shall immediately notify the department and file a new surety bond in the amount determined by the director under subsection (b)(4).

(f) Cancellation of a surety bond issued under this section does not affect any liability incurred or accrued during the period when the surety bond was in effect.

(g) The director may obtain satisfaction from a surety bond issued under this section if the director incurs expenses, issues a final order, or recovers a final judgment under this chapter.

Sec. 4. (a) The department may adopt rules under IC 4-22-2, including emergency rules adopted in the manner provided by IC 4-22-2-37.1, to implement this chapter. Rules or emergency rules adopted by the department under this section must take effect by a date that will enable a person to apply to the department for a certificate of registration under this chapter beginning July 1, 2015.

(b) Notwithstanding IC 4-22-2-37.1(g), an emergency rule adopted by the department in the manner provided by IC 4-22-2-37.1 to implement this chapter expires on the date a rule that supersedes the emergency rule is adopted by the department under IC 4-22-2-24 through IC 4-22-2-36.

### Chapter 3. Contract Requirements and Disclosures

Sec. 1. (a) Before presenting a CPAP contract to a consumer claimant for the consumer claimant's signature, a CPAP provider shall ensure that the CPAP contract:

(1) is complete;

(2) has been filled in to include all amounts, dates, names, terms, provisions, and information specific to the CPAP contract, the CPAP provider, the consumer claimant, and the consumer claimant's civil proceeding; and

(3) meets the requirements of this chapter, including the disclosure requirements set forth in section 2 of this chapter.

(b) Each page of a CPAP contract must include the initials of the consumer claimant.

(c) If a consumer claimant is represented by an attorney in the civil proceeding on which a CPAP transaction is based, the CPAP provider shall, not later than three (3) days after the CPAP contract is executed by the CPAP provider and the consumer claimant, send to the consumer claimant's attorney by insured, certified, or registered United States mail a written notice that:

(1) states that a CPAP contract has been entered into by the consumer claimant and the CPAP provider;

(2) directs the consumer claimant's attorney to disburse to the CPAP provider through:

(A) a trust account of the consumer claimant's attorney; or

(B) a settlement fund established to receive the proceeds of the civil proceeding on behalf of the consumer claimant;

any proceeds of the consumer claimant's civil proceeding that the CPAP provider may receive under IC 24-4.3-4-4(c); and

(3) includes the name under which the CPAP provider does business, an address to which the consumer claimant's attorney may address correspondence, and the contact information for the CPAP provider's employee or agent with whom the consumer claimant's attorney may correspond.

(d) A CPAP contract shall be executed in duplicate. Upon execution of the CPAP contract, the CPAP provider shall:

(1) furnish one (1) duplicate original and at least one

(1) copy of the CPAP contract to the consumer claimant; and

(2) retain for the CPAP provider's records one (1)

duplicate original and at least one (1) copy of the CPAP contract.

(e) A CPAP provider may not use any CPAP contract form, other than a standard CPAP contract form prescribed by the department in rules adopted by the department under section 3 of this chapter, in connection with a civil proceeding unless the department first approves the CPAP contract form.

Sec. 2. (a) A CPAP contract must include the disclosures set forth in this section. The disclosures required by this section:

- (1) constitute material terms of the CPAP contract; and
- (2) must:
  - (A) be set forth in at least 12 point boldface type and comply with any other typeface or stylistic specifications set forth in this section; and
  - (B) be placed clearly and conspicuously within the contract.

(b) The front page of a CPAP contract must include, under appropriate headings, language specifying the following:

- (1) The funded amount to be paid to the consumer claimant by the CPAP provider.
- (2) The funding date.
- (3) An itemization of all charges, whether assessed one (1) time or on a recurring basis, that are payable or assignable by the consumer claimant to the CPAP provider. For each charge listed, the CPAP provider shall identify whether the charge:
  - (A) is to be assigned by the consumer claimant to the CPAP provider from the proceeds, if any, of the consumer claimant's civil proceeding; or
  - (B) is otherwise payable by the consumer claimant to the CPAP provider.

Charges described in clause (A) must be included in the payment schedule described in subdivision (5). For charges described in clause (B), the CPAP provider shall set forth a separate payment schedule identifying the dates and amounts due.

(4) An identification of the following amounts to be assigned by the consumer claimant to the CPAP provider if the resolution of the consumer claimant's civil proceeding results in proceeds to the consumer claimant:

- (A) The funded amount.
- (B) The contract amount. In identifying the contract amount under this clause, it is sufficient for the CPAP provider to identify the method, formula, or multiplier (as required by IC 24-4.3-4-2(1)(A)) by which the contract amount will be determined as of the date on which the CPAP provider receives payment from the proceeds of the consumer claimant's civil proceeding.
- (5) For amounts assignable by the consumer claimant to the CPAP provider from the proceeds of the consumer claimant's civil proceeding (including the funded amount, the contract amount, and any applicable charges), a payment schedule that lists:

- (A) the dates; and
  - (B) the amounts assignable by the consumer claimant to the CPAP provider as of each date listed (regardless of whether and when such amounts are actually paid or assigned, depending on the outcome of the consumer's civil proceeding and the date on which any proceeds from the civil proceeding become available for disbursement);
- beginning with the date that is one hundred eighty (180) days after the funding date, continuing every one hundred eighty (180) days thereafter, and ending with the date the amounts are actually paid or assigned to

the CPAP provider, as required by IC 24-4.3-4-2(1)(B).

(c) A CPAP contract must contain, in text that is surrounded by a box, a statement setting forth a right of rescission that allows the consumer claimant to cancel the contract without penalty or further obligation if the consumer claimant does either of the following:

- (1) Not later than five (5) days after the funding date, returns to the CPAP provider the full funded amount by hand delivering the CPAP provider's uncashed check to the CPAP provider's business location.
- (2) Mails, to the address specified in the CPAP contract and by insured, certified, or registered United States mail:

- (A) a notice of cancellation; and
- (B) the full funded amount, in the form of:
  - (i) the CPAP provider's uncashed check;
  - (ii) a registered or certified check; or
  - (iii) a money order;

in a mailing that is postmarked not later than five (5) days after the funding date.

(d) A CPAP contract must contain, in text that is printed in all capital letters and surrounded by a box, the following statement:

"THE FUNDED AMOUNT (or other term used by the CPAP provider in the CPAP contract), THE CONTRACT AMOUNT (or other term used by the CPAP provider in the CPAP contract), AND THE \_\_\_\_\_ (insert names of any charges the repayment of which is to be sourced from the proceeds of the consumer claimant's civil proceeding) ARE PAYABLE ONLY FROM THE PROCEEDS OF YOUR CIVIL PROCEEDING, AND ONLY TO THE EXTENT THAT THERE ARE AVAILABLE PROCEEDS FROM YOUR CIVIL PROCEEDING. YOU WILL NOT OWE (insert name of CPAP provider) THE FUNDED AMOUNT (or other term used by the CPAP provider in the CPAP contract), THE CONTRACT AMOUNT (or other term used by the CPAP provider in the CPAP contract), OR THE \_\_\_\_\_ (insert names of any charges the repayment of which is to be sourced from the proceeds of the consumer claimant's civil proceeding) IF THERE ARE NO PROCEEDS FROM YOUR CIVIL PROCEEDING, UNLESS YOU HAVE VIOLATED ANY MATERIAL TERM OF THIS CONTRACT OR YOU HAVE COMMITTED FRAUD AGAINST (insert name of CPAP provider).".

(e) A CPAP contract must contain a statement as to whether and under what circumstances:

- (1) the consumer claimant's rights and obligations under the CPAP contract may be sold, assigned, pledged, or transferred by the consumer claimant and, if so, whether and at what point the consumer claimant must obtain the consent of, or provide notice to, the CPAP provider of such sale, assignment, pledge, or transfer; and
- (2) the CPAP provider's rights and obligations under a CPAP contract may be sold, assigned, pledged, or transferred by the CPAP provider and, if so, whether and at what point the CPAP provider must obtain the consent of, or provide notice to, the consumer claimant of such sale, assignment, pledge, or transfer.

(f) A CPAP contract must contain a statement as to whether, how often, and under what circumstances the CPAP provider may request from the consumer claimant or, subject to the consent of the consumer claimant's attorney, from the consumer claimant's attorney periodic updates or other information concerning the consumer claimant's civil proceeding, including any of the following documents or information that may be sought by the CPAP provider:

(1) Notice of any receipt by the consumer claimant or, subject to the consent of the consumer claimant's attorney, by the consumer claimant's attorney of proceeds, or written promises to pay proceeds, from the civil proceeding.

(2) Copies of nonprivileged materials, including pleadings, notices, orders, motions, briefs, or other documents filed in the civil proceeding by any person or party.

(3) Documents or verbal information concerning nonprivileged matters or developments in connection with the civil proceeding.

(g) A CPAP contract must contain the following statement immediately above the signature line for the consumer claimant:

"Do not sign this contract before you read it completely or if it contains any blank spaces. You are entitled to a completely filled in copy of this contract. Before you sign this contract, you should obtain the advice of an attorney. Depending on your circumstances, you may want to consult an accountant, a tax consultant, a public or private benefits planning professional, or a financial professional. By signing this contract, you acknowledge that if you are represented by an attorney in your civil proceeding, your attorney has provided no tax, accounting, public or private benefits planning, or financial advice concerning this transaction between you and (insert name of CPAP provider).".

Sec. 3. (a) The department may adopt rules under IC 4-22-2, including emergency rules adopted in the manner provided by IC 4-22-2-37.1, to implement this chapter. In adopting rules or emergency rules under this section, the department may prescribe a standard CPAP contract form that complies with this chapter for use by CPAP providers in entering into CPAP transactions with consumer claimants. Rules or emergency rules adopted by the department to prescribe a standard CPAP contract form must take effect by a date that will enable such a form to be available to CPAP providers beginning July 1, 2015.

(b) Notwithstanding IC 4-22-2-37.1(g), an emergency rule adopted by the department in the manner provided by IC 4-22-2-37.1 to implement this chapter expires on the date a rule that supersedes the emergency rule is adopted by the department under IC 4-22-2-24 through IC 4-22-2-36.

#### Chapter 4. Requirements and Prohibitions

Sec. 1. Subject to section 3(b) of this chapter, the total funded amount in a CPAP transaction in connection with any one (1) civil proceeding may not exceed five thousand dollars (\$5,000). A CPAP provider shall transfer the funded amount to a consumer claimant not later than the funding date, as set forth in the CPAP contract, by one (1) of the following means:

(1) Personal delivery.

(2) Wire, automated clearing house, or other electronic means.

(3) Insured, certified, or registered United States mail.

Sec. 2. Subject to section 3 of this chapter, the contract amount in a CPAP transaction:

(1) must be calculated as a predetermined amount:

(A) according to a method, formula, or multiplier determined by the CPAP provider, as described in IC 24-4.3-3-2(b)(4)(B); and

(B) based on one hundred eighty (180) day intervals measured from the funding date through the date of assignment to the CPAP provider, as described in IC 24-4.3-3-2(b)(5);

(2) may be based on, or determined as a percentage of, the funded amount; and

(3) may not be determined as a percentage of the consumer claimant's recovery from the consumer

claimant's civil proceeding.

Sec. 3. (a) Regardless of the contract amount that results from the calculation described in section 2(1) of this chapter, a CPAP provider may not assess or collect, with respect to any one (1) CPAP transaction, a contract amount that exceeds twenty-five percent (25%) of the funded amount.

(b) A CPAP provider may not:

(1) structure a CPAP transaction arising from the same civil proceeding:

(A) as more than one (1) transaction; or

(B) in any other manner; or

(2) impose any charges under the CPAP contract, whether assignable from the proceeds of the consumer claimant's civil proceeding or otherwise payable to the CPAP provider, in an amount that:

(A) exceeds any amount, percentage, limit, or cap concerning charges and prescribed by the department in rules adopted under section 7 of this chapter; or

(B) grossly exceeds the value of the services provided or costs incurred by the CPAP provider in consideration of the charges;

for the purpose of avoiding the prohibition set forth in subsection (a) or the limitation on the funded amount set forth in section 1 of this chapter.

Sec. 4. (a) Subject to IC 24-4.3-3-2(e)(1) and except as otherwise provided in a CPAP contract and agreed to by a consumer claimant, a contingent right to receive a share of the potential proceeds of a consumer claimant's civil proceeding (whether the proceeds result from a judgment, a settlement, or some other resolution) may be sold, assigned, pledged, or transferred by the consumer claimant.

(b) Subject to IC 24-4.3-3-2(e)(2) and except as otherwise provided in a CPAP contract and agreed to by a consumer claimant, a CPAP provider's rights and obligations under a CPAP contract may be sold, assigned, pledged, or transferred by the CPAP provider.

(c) A CPAP provider's right to receive a share of the potential proceeds of a consumer claimant's civil proceeding is subordinate only to any:

(1) attorney's lien;

(2) medical liens; or

(3) statutory liens;

related to the consumer claimant's civil proceeding. All other liens take priority according to when they attach or by normal operation of law.

Sec. 5. A CPAP provider may not do any of the following:

(1) Pay or offer to pay any:

(A) attorney or law firm;

(B) medical or health care provider;

(C) chiropractor; or

(D) physical therapist or occupational therapist; or any of their employees, for referring a consumer claimant to the CPAP provider or the CPAP provider's business.

(2) Accept any commissions, referral fees, rebates, or other forms of consideration from any:

(A) attorney or law firm;

(B) medical or health care provider;

(C) chiropractor; or

(D) physical therapist or occupational therapist; or any of their employees, in connection with a CPAP transaction or a potential CPAP transaction.

(3) Advertise or communicate in Indiana any materially false or misleading information concerning the CPAP provider's products and services, whether such an advertisement or communication is by mail, brochure, telephone, print, radio, television, the Internet, or electronic means.

(4) Refer, in connection with a CPAP transaction, a



consumer claimant to any:

- (A) attorney or law firm;
- (B) medical or health care provider;
- (C) chiropractor; or
- (D) physical therapist or occupational therapist;

or any of their employees. However, if a consumer claimant who has consulted the CPAP provider or entered into a CPAP transaction with the CPAP provider needs legal representation in connection with the consumer claimant's civil proceeding or the CPAP transaction, the CPAP provider may refer the consumer claimant to a local or state bar association's attorney referral service.

(5) Knowingly enter into a CPAP transaction with a consumer claimant who has previously entered into a CPAP transaction with another CPAP provider in connection with the same civil proceeding, unless the second CPAP provider first pays to, or purchases from, the original CPAP provider:

- (A) any outstanding amounts (including the funded amount, the contract amount, and any charges) under the first CPAP provider's CPAP contract with the consumer claimant; or
- (B) any other amount agreed to by the CPAP providers;

except as otherwise prohibited in the CPAP contract between the original CPAP provider and the consumer claimant. However, two (2) or more CPAP providers may agree to contemporaneously enter into CPAP transactions with a consumer claimant in connection with the same civil proceeding, if the consumer claimant consents in writing to the arrangement and, if the consumer claimant is represented by an attorney in the civil proceeding, each CPAP provider that enters into a CPAP transaction with the consumer claimant provides to the consumer claimant's attorney the written notice required under IC 24-4.3-3-1(c).

(6) Make, or receive the right to make, any decisions with respect to the conduct, settlement, or resolution of a consumer claimant's civil proceeding. However, a CPAP provider may request from a consumer claimant or, subject to the consent of the consumer claimant's attorney, from the consumer claimant's attorney periodic updates or other information concerning the consumer claimant's civil proceeding, if the nature, timing, and frequency of the requests:

- (A) are set forth in the CPAP contract, as required by IC 24-4.3-3-2(f); and
- (B) are not such as to be harassing to the consumer claimant or, if the consumer claimant's attorney has consented to the requests, to the consumer claimant's attorney.

A CPAP provider's right to request updates or other information under this subdivision does not limit, waive, or abrogate the scope or nature of, and is subject to, any applicable statutory or common law privilege, including the work product doctrine or the attorney client privilege.

(7) Pay or offer to pay for court costs, filing fees, or attorney's fees in connection with a consumer claimant's civil proceeding using funds from the CPAP transaction or any other funds.

Sec. 6. (a) An attorney or a law firm retained by a consumer claimant in a civil proceeding on which a CPAP transaction is based may not have a financial interest in the CPAP provider that enters into the CPAP transaction with the consumer claimant.

(b) An attorney or a law firm that refers a consumer claimant to the attorney or law firm retained by a consumer claimant in a civil proceeding on which a CPAP transaction is based may not have a financial interest in the CPAP

provider that enters into the CPAP transaction with the consumer claimant.

Sec. 7. (a) The department may adopt rules under IC 4-22-2, including emergency rules adopted in the manner provided by IC 4-22-2-37.1, to implement this chapter. In adopting rules or emergency rules under this section, the department may set caps or other limits on the charges that a CPAP provider may impose for specified services provided, or costs incurred, by a CPAP provider under a CPAP contract, as described in section 3(b)(2) of this chapter.

(b) Notwithstanding IC 4-22-2-37.1(g), an emergency rule adopted by the department in the manner provided by IC 4-22-2-37.1 to implement this chapter expires on the date a rule that supersedes the emergency rule is adopted by the department under IC 4-22-2-24 through IC 4-22-2-36.

#### Chapter 5. Violations

Sec. 1. For purposes of this chapter, a violation of, or compliance with, this article includes a violation of, or compliance with:

- (1) the provisions set forth in this article;
- (2) rules adopted by the department under this article;
- (3) any policy, guidance document, or order adopted or issued by the department in connection with this article; or
- (4) any other state or federal law, regulation, or rule applicable to CPAP transactions or CPAP providers.

Sec. 2. (a) The department may examine the books, accounts, and records of a CPAP provider and may make investigations to determine compliance with this article.

(b) A CPAP provider shall pay all reasonably incurred costs of an examination under this section in accordance with the fee schedule adopted under IC 28-11-3-5. A fee established by the department under IC 28-11-3-5 may be charged for each day a fee under this section is delinquent.

(c) To discover violations of this article or to secure information necessary for the enforcement of this article, the department may investigate any:

- (1) CPAP provider that holds a registration certificate under this article; or
- (2) person that the department suspects to be operating as a CPAP provider in Indiana:
  - (A) without a certificate of registration; or
  - (B) otherwise in violation of this article.

The department has all investigatory and enforcement authority under this chapter that the department has under IC 28-11 with respect to financial institutions. If the department conducts an investigation under this section, the registered CPAP provider or other person investigated shall pay all reasonably incurred costs of the investigation in accordance with the fee schedule adopted under IC 28-11-3-5.

(d) If a CPAP provider contracts with an outside vendor to provide a service that would otherwise be undertaken internally by the CPAP provider and be subject to the department's routine examination procedures, the person that provides the service to the CPAP provider shall, at the request of the director, submit to an examination by the department. If the director determines that an examination under this subsection is necessary or desirable, the examination may be made at the expense of the person to be examined. If the person to be examined under this subsection refuses to permit the examination to be made, the director may order any CPAP provider that receives services from the person refusing the examination to:

- (1) discontinue receiving one (1) or more services from the person; or
- (2) otherwise cease conducting business with the person.

Sec. 3. (a) If the department determines that a reasonable belief exists that a person is operating without a valid



certificate of registration or in violation of this article, the department may investigate the person.

(b) If a person knowingly acts as a CPAP provider without a certificate of registration required by IC 24-4.3-2, any resulting CPAP contract or CPAP transaction entered into by the CPAP provider and a consumer claimant is void and the consumer claimant is not required to pay to the CPAP provider any amounts in connection with the CPAP contract or CPAP transaction, including the funded amount, the contract amount, or any charges. If the consumer claimant has paid to the CPAP provider any amounts in connection with the CPAP contract or CPAP transaction, the consumer claimant, or the department on behalf of the consumer claimant, is entitled to recover the amounts from the CPAP provider.

Sec. 4. (a) If the department determines, after notice and an opportunity to be heard, that a person has violated this article, the department may, in addition to or instead of all other remedies available under this article, impose upon the person a civil penalty not greater than ten thousand dollars (\$10,000) for each violation.

(b) In addition to or instead of imposing a civil penalty under subsection (a), the department may bring a civil action against a person for violating this article.

(c) In an action brought under subsection (b), if the court finds that the defendant is guilty of violating this article, the court may assess a civil penalty not to exceed five thousand dollars (\$5,000) for each violation.

(d) Civil penalties collected under this section shall be deposited into the financial institutions fund established by IC 28-11-2-9.

Sec. 5. (a) The department may adopt rules under IC 4-22-2, including emergency rules adopted in the manner provided by IC 4-22-2-37.1, to implement this chapter.

(b) Notwithstanding IC 4-22-2-37.1(g), an emergency rule adopted by the department in the manner provided by IC 4-22-2-37.1 to implement this chapter expires on the date a rule that supersedes the emergency rule is adopted by the department under IC 4-22-2-24 through IC 4-22-2-36."

Page 4, delete lines 10 through 42, begin a new line single block indented and insert:

"(16) A civil proceeding advance payment transaction (as defined in IC 24-4.3-1-6).

SECTION 4. An emergency is declared for this act."

Delete pages 5 through 11.

Renummer all SECTIONS consecutively.

(Reference is to SB 373 as reprinted February 20, 2015.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

BURTON, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 374, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-3-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 22. (a) Except to the extent that it conflicts with a statute and subject to subsection (f), 50 IAC 4.2 (as in effect January 1, 2001), which was formerly incorporated by reference into this section, is reinstated as a rule.

(b) Tangible personal property within the scope of 50 IAC 4.2 (as in effect January 1, 2001) shall be assessed on the

assessment dates in calendar years 2003 and thereafter in conformity with 50 IAC 4.2 (as in effect January 1, 2001).

(c) The publisher of the Indiana Administrative Code shall publish 50 IAC 4.2 (as in effect January 1, 2001) in the Indiana Administrative Code.

(d) 50 IAC 4.3 and any other rule to the extent that it conflicts with this section is void.

(e) A reference in 50 IAC 4.2 to a governmental entity that has been terminated or a statute that has been repealed or amended shall be treated as a reference to its successor.

(f) The department of local government finance may not amend or repeal the following (all as in effect January 1, 2001):

(1) 50 IAC 4.2-4-3(f).

(2) 50 IAC 4.2-4-7.

(3) 50 IAC 4.2-4-9.

(4) 50 IAC 4.2-5-7.

(5) 50 IAC 4.2-5-13.

(6) 50 IAC 4.2-6-1.

(7) 50 IAC 4.2-6-2.

(8) 50 IAC 4.2-8-9.

(g) Notwithstanding any other provision of this section, 50 IAC 4.2-4-6(c) is void effective July 1, 2015. The publisher of the Indiana Administrative Code and the Indiana Register shall remove this provision from the Indiana Administrative Code.

SECTION 2. IC 6-1.1-3-22.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 22.5. (a) Except as provided in subsection (b), when a taxpayer acquires depreciable tangible personal property, the year of acquisition for the depreciable tangible personal property is the fiscal year determined as follows:

(1) The applicable fiscal year beginning January 2 and ending January 1, for depreciable tangible personal property acquired after January 1, 2016.

(2) The fiscal year beginning March 2, 2015, and ending January 1, 2016, for depreciable tangible personal property acquired after March 1, 2015, and before January 2, 2016.

(3) The applicable fiscal year beginning March 2 and ending March 1, for depreciable tangible personal property acquired before March 2, 2015.

(b) If a taxpayer has a financial year that ends on December 31 or January 31, the taxpayer may elect to use the same year as that used for federal income tax purposes to determine the year of acquisition of depreciable tangible personal property for Indiana property tax reporting purposes. Otherwise, a taxpayer is not eligible to elect to use a federal tax year to compute the year of acquisition for Indiana property tax reporting purposes and must use the applicable fiscal year specified in subsection (a).

(c) If a taxpayer makes a federal tax year election under subsection (b), an acquisition of depreciable tangible personal property after the close of the taxpayer's federal taxable year and on or before the immediately following assessment date must be included in a separate category on the taxpayer's return and clearly designated."

Renummer all SECTIONS consecutively.

(Reference is to SB 374 as reprinted January 23, 2015.)

and when so amended that said bill do pass.

Committee Vote: yeas 20, nays 0.

BROWN T, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 380, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be

amended as follows:

Page 11, line 14, delete "IC 5-2-21." and insert "IC 5-2-21.2".

Page 11, line 17, delete "IC 5-2-21" and insert "IC 5-2-21.2".

Page 11, line 20, delete "21." and insert "21.2".

(Reference is to SB 380 as printed Digest Correction February 18, 2015.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

FRYE R, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 395, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective date in SECTION 2 with "[EFFECTIVE UPON PASSAGE]".

Page 7, line 8, delete "2015," and insert "2014,".

Page 7, line 10, after "resources" insert "**for the period beginning May 1, 2015, through June 30, 2016, and**".

Page 7, line 11, delete "2015," and insert "2016,".

Page 8, after line 17, begin a new paragraph and insert: "**SECTION 3. An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 395 as printed February 13, 2015.)

and when so amended that said bill do pass.

Committee Vote: yeas 19, nays 0.

BROWN T, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred Senate Bill 425, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-6-2-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 13. The attorney general shall develop, post, and maintain on the attorney general's Internet web site information related to life insurance, including the manner in which an individual may do the following:**

**(1) Obtain information concerning the existence of a life insurance policy.**

**(2) File a claim for life insurance benefits.**

**(3) Make provision for resolution of financial affairs after the individual's death, including notification of life insurance beneficiaries and making financial documents known and accessible to survivors."**

Page 2, line 26, delete "an unclaimed" and insert "**the attorney general from conducting an examination of the records of an insurance company under IC 32-34-1-42.**".

Page 2, delete lines 27 through 28, begin a new paragraph and insert:

"SECTION 7. IC 32-34-1-42, AS AMENDED BY P.L.64-2007, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 42. (a) The attorney general may require a person who has not filed a report, or a person who the attorney general believes has filed an inaccurate, an incomplete, or a false report, to file a verified report in a form prescribed by the attorney general stating the following:**

**(1) Whether the person is holding any unclaimed property reportable or deliverable under this chapter.**

**(2) Describing any property not previously reported or as to which the attorney general has made inquiry.**

**(3) Specifically identifying and stating the amounts of property that may be in issue.**

**(b) The attorney general, at reasonable times and upon reasonable notice, may examine the records of a person to determine whether the person has complied with this chapter. The attorney general may conduct the examination even if the person believes the person is not in possession of any property reportable or deliverable under this chapter. When making an examination under this chapter, the attorney general may retain attorneys, appraisers, independent actuaries, independent certified public accountants, or other professionals and specialists as examiners.**

**(c) The attorney general may examine the records of an agent, including a dividend disbursing agent or transfer agent, of a business association that is the holder of property presumed abandoned if the attorney general has given the notice required by subsection (b) to both the business association and the agent at least ninety (90) days before the examination.**

**(d) If an examination of the records of a person under subsection (b) results in the disclosure of property reportable and deliverable under this chapter, the attorney general may assess the cost of the examination against the holder at a reasonable rate established by the attorney general. The cost of an examination of the records of an agent of a business association under subsection (c) may be imposed only against the business association.**

**(e) If a holder fails to maintain the records required under section 43 of this chapter and the available records of the holder are insufficient to permit the preparation of a report, the attorney general may require the holder to report and pay an amount that may reasonably be estimated from any available records of the holder or on the basis of any other reasonable estimating technique that the attorney general may select.**

**(f) An examination by the attorney general of the records of an insurance company under this section may include:**

**(1) the records of any insurance policy or certificate, annuity contract, or retained asset account against a death master file to identify potential death master file matches, regardless of the date on which the:**

**(A) insurance policy or certificate was issued;**

**(B) annuity contract was issued or entered into; or**

**(C) retained asset account was established; and**

**(2) a review of identifying information that is relevant to the examination."**

Renumber all SECTIONS consecutively.

(Reference is to SB 425 as reprinted February 24, 2015.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

LEHMAN, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Financial Institutions, to which was referred Senate Bill 447, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 447 as printed February 20, 2015.)

Committee Vote: Yeas 10, Nays 0.

BURTON, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 464, has had the same under

consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 13, delete "and".

Page 3, between lines 13 and 14, begin a new line block indented and insert:

**"(3) case management;**

**(4) daily living skills; and"**.

Page 3, line 14, delete "(3)" and insert "(5)".

Page 3, delete lines 38 through 42, begin a new paragraph and insert:

"SECTION 5. IC 11-12-2-1, AS AMENDED BY P.L.168-2014, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) For the purpose of encouraging counties to develop a coordinated local corrections-criminal justice system and providing effective alternatives to imprisonment at the state level, the commissioner shall, out of funds appropriated for such purposes, make grants to counties for the establishment and operation of community corrections programs. Appropriations intended for this purpose may not be used by the department for any other purpose. Money appropriated to the department of correction for the purpose of making grants under this chapter and any financial aid payments suspended under section 6 of this chapter do not revert to the state general fund at the close of any fiscal year, but remain available to the department of correction for its use in making grants under this chapter.

(b) Before ~~March September 1, 2015; 2016, and each year thereafter~~, the department shall estimate the amount of any operational cost savings that will be realized in the state fiscal year ending June 30, ~~2015; 2016, and each year thereafter~~, from a reduction in the number of individuals who are in the custody or made a ward of the department of correction (as described in IC 11-8-1-5) that is attributable to the sentencing changes made in HEA 1006-2014 as enacted in the 2014 session of the general assembly. The department shall make the estimate under this subsection based on the best available information. If the department estimates that operational cost savings described in this subsection will be realized in the state fiscal year ending June 30, ~~2015; 2016, and each year thereafter~~, the following apply to the department:

(1) The department shall certify the estimated amount of operational cost savings that will be realized to the budget agency and to the auditor of state.

(2) The department may, after review by the budget committee and approval by the budget agency, make additional grants as provided in this chapter to ~~counties for the establishment and operation of community corrections programs from funds appropriated to the department for the department's operating expenses for the state fiscal year: the mental health and addiction forensic treatment services account established by IC 12-23-19-4.~~

(3) The department may, after review by the budget committee and approval by the budget agency, transfer funds appropriated to the department for the department's operating expenses for the state fiscal year to the ~~judicial conference of Indiana to be used by the judicial conference of Indiana to provide additional financial aid for the support of court probation services under the program established under IC 11-13-2: mental health and addiction forensic treatment services account established by IC 12-23-19-4.~~

(4) The maximum aggregate amount of additional grants and transfers that may be made by the department under subdivisions (2) and (3) for the state fiscal year may not exceed ~~the lesser of:~~

~~(A) the amount of operational cost savings certified under subdivision (1). or~~

~~(B) eleven million dollars (\$11,000,000):~~

~~Notwithstanding P.L.205-2013 (HEA 1001-2013), the amount of funds necessary to make any additional grants authorized and approved under this subsection and for any transfers authorized and approved under this subsection; and for providing the additional financial aid to courts from transfers authorized and approved under this subsection; is appropriated for those purposes for the state fiscal year ending June 30, 2015; and the amount of the department's appropriation for operating expenses for the state fiscal year ending June 30, 2015; is reduced by a corresponding amount. This subsection expires June 30, 2015.~~

(c) The commissioner shall give priority in issuing community corrections grants to programs that provide alternative sentencing projects for persons with mental illness, addictive disorders, mental retardation, and developmental disabilities. **Programs for addictive disorders may include:**

**(1) addiction counseling;**

**(2) inpatient detoxification; and**

**(3) medication assisted treatment, including a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence."**

Delete page 4.

Page 5, delete lines 1 through 19.

Page 6, line 18, delete "and".

Page 6, between lines 18 and 19, begin a new line double block indented and insert:

**"(C) case management;**

**(D) daily living skills; and"**.

Page 6, line 19, delete "(C)" and insert "(E)".

Page 11, line 26, delete "and".

Page 11, between lines 26 and 27, begin a new line block indented and insert:

**"(3) case management;**

**(4) daily living skills; and"**.

Page 11, line 27, delete "(3)" and insert "(5)".

Page 15, line 24, delete "The division may not approve the".

Page 15, delete lines 25 through 26.

Page 17, line 9, delete "and".

Page 17, between lines 9 and 10, begin a new line double block indented and insert:

**"(C) case management;**

**(D) daily living skills; and"**.

Page 17, line 10, delete "(C)" and insert "(E)".

Page 17, line 17, delete "and".

Page 17, line 18, delete "." and insert "; and".

Page 17, between lines 18 and 19, begin a new line block indented and insert:

**"(7) mental health and substance abuse assessments."**

Page 17, line 23, delete "two" and insert "three".

Page 17, line 23, delete "(200%)" and insert "(300%)".

Page 17, line 33, delete "." and insert ", **excluding the Medicaid rehabilitation program and the Behavioral and Primary Health Coordination Program under Section 1915(i) of the Social Security Act."**

Page 18, line 7, after "certified" insert "**or licensed**".

Page 18, line 13, delete "or" and insert ",".

Page 18, line 14, after "vouchers" insert ", **and for leveraging federal funds**".

Page 18, between lines 35 and 36, begin a new paragraph and insert:

**"(g) Money deposited in the account may be used as the required state match under the Medicaid rehabilitation program and the Behavioral and Primary Healthcare Coordination program under Section 1915(i) of the Social Security Act."**

Page 18, line 41, delete "." and insert ", **excluding services provided through the Medicaid rehabilitation program and the Behavioral and Primary Health Coordination Program under Section 1915(i) of the Social Security Act."**

Page 18, between lines 41 and 42, begin a new paragraph and insert:

**"Sec. 6. (a) The division shall provide or cause to be provided education and training on the use of:**

- (1) involuntary commitment; and**
- (2) medication assisted treatment, including federal Food and Drug Administration approved long acting, nonaddictive medications for the treatment of opioid or alcohol dependence for individuals with an addictive disorder.**

**(b) The division shall provide or cause to be provided education and training required in subsection (a) to the following:**

- (1) Circuit and superior court judges.**
- (2) Prosecuting attorneys and deputy prosecuting attorneys.**
- (3) Public defenders.**
- (4) Programs and providers identified in section 4(b) of this chapter."**

Page 18, line 42, delete "6." and insert "7."

Page 19, line 2, after "survey" insert **"and develop demographic research on"**.

Page 19, line 12, delete "7." and insert "8."

Page 19, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 19. IC 21-44-6-5, AS AMENDED BY P.L.142-2014, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015 (RETROACTIVE)]: Sec. 5. The purpose of the board is to do the following:

(1) To establish and oversee a loan forgiveness program designed to attract:

- (A) psychiatrists;
- (B) addiction psychiatrists**, including psychiatrists pursuing fellowship training and certification in addiction psychiatry;
- ~~(B)~~ **(C)** psychologists;
- ~~(C)~~ **(D)** psychiatric nurses;
- ~~(D)~~ **(E)** addiction counselors; and
- ~~(E)~~ **(F)** mental health professionals;

to provide services to individuals with mental illness and addictive disorders in behavioral health and addiction treatment settings in Indiana by assisting the individuals listed in this section to pay off loans incurred in the training needed to practice psychiatry and psychology and as a psychiatric nurse, an addiction counselor, or a mental health professional in Indiana.

(2) To establish and oversee an integrated behavioral health and addiction treatment development program to attract and train psychiatrists, psychologists, psychiatric nurses, addiction counselors, or mental health professionals who will engage in the practice of integrated behavioral health and addiction treatment in:

- (A) state mental health institutions;
- (B) community mental health centers;
- (C) state funded addiction treatment centers; or
- (D) other behavioral health and addiction treatment settings determined by the board to be mental health and addiction dual diagnoses treatment settings.

(3) To develop and oversee an integrated behavioral health and addiction treatment training track program through the Indiana University School of Medicine, Department of Psychiatry residency training program. The training track program must provide an opportunity for residents to work in mental health and addiction dual diagnoses treatment settings, including:

- (A) state psychiatric hospitals;
- (B) community mental health centers;
- (C) state funded addiction treatment centers; or
- (D) other behavioral health and addiction treatment

settings determined by the board to be mental health and addiction dual diagnoses treatment settings.

(4) To develop standards for participation in the training track program that include:

- (A) guidelines for the amounts of grants and other assistance a participant receives;
- (B) guidelines for the type of training in integrated behavioral health and addiction treatment the participant receives;
- (C) guidelines for agreements with mental health hospitals, community mental health centers, and other entities participating in the training track program; and
- (D) other guidelines and standards necessary for governing the training track program."

Page 20, line 21, delete "and".

Page 20, between lines 21 and 22, begin a new line block indented and insert:

**"(3) case management;**

**(4) daily living skills; and"**

Page 20, line 22, delete "(3)" and insert **"(5)"**.

Page 21, line 35, after "or" insert **"mental health"**.

Page 24, between lines 31 and 32, begin a new line double block indented and insert:

**"(B) mental health counseling;"**

Page 24, line 32, delete "(B)" and insert **"(C)"**.

Page 24, line 33, delete "(C)" and insert **"(D)"**.

Page 25, after line 41, begin a new paragraph and insert:

**"SECTION 26. An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

(Reference is to SB 464 as reprinted February 24, 2015.) and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

CLERE, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 467, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 467 as printed February 6, 2015.)

Committee Vote: Yeas 20, Nays 0.

BROWN, T, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 500, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 27 through 42, begin a new paragraph and insert.

"SECTION 3. IC 3-14-5-8, AS AMENDED BY SEA 199-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) As used in this section, "governmental entity" refers to any of the following:

- (1) A city.
- (2) A town.
- ~~(3) A school corporation.~~
- ~~(4)~~ **(3)** An agency of a governmental entity referred to in any of subdivisions (1) through ~~(3)~~ **(2)**.

(b) As used in this section, "date of conviction" refers to the date when:

- (1) in a jury trial, a jury publicly announces a verdict against a person for a felony or Class A misdemeanor;
- (2) in a bench trial, the court publicly announces a verdict against a person for a felony or Class A misdemeanor; or

(3) in a guilty plea hearing, a person pleads guilty or nolo contendere to a felony or Class A misdemeanor.

(c) A person who is convicted under IC 3-14-2 of a felony or Class A misdemeanor that relates to an election for an office for a governmental entity shall not:

- (1) continue employment with;
- (2) obtain future employment with;
- (3) contract with; or
- (4) be a subcontractor under a contract with;

any governmental entity for twenty (20) years after the date of conviction.

(d) For twenty (20) years after the person's date of conviction, a governmental entity may not:

- (1) employ;
- (2) offer employment to;
- (3) contract with; or
- (4) maintain a contractual relationship when a subcontractor is;

a person who is convicted under IC 3-14-2 of a felony or Class A misdemeanor that relates to an election for an office for any governmental entity.

(e) If:

- (1) a person was employed by a governmental entity;
- (2) the person was convicted under IC 3-14-2 of a felony or Class A misdemeanor relating to an election for an office for a governmental entity;
- (3) the person's employment with the governmental entity was discontinued under subsection (c) or (d); and
- (4) the person's conviction is reversed, vacated, or set aside;

the governmental entity shall reemploy the person in the same position the person held before the person's conviction or in another position equivalent in benefits, pay, and working conditions to the position the person held before the person's conviction, and the person is entitled to receive any salary or other remuneration that the person would have received if the person's employment had not been discontinued under subsection (c) or (d).

(f) The attorney general may petition a court with jurisdiction for an injunction against a person who violates subsection (c) or a governmental entity that violates subsection (d).

(g) The attorney general may petition a court with jurisdiction to impose a civil penalty of not more than one thousand dollars (\$1,000) on a person who violates subsection (c)."

Page 3, delete lines 1 through 40.

Page 8, delete lines 37 through 42.

Delete pages 9 through 19.

Page 20, delete lines 1 through 2.

Page 20, line 3, after "SECTION" delete "18."

Page 34, delete lines 34 through 42.

Delete page 35.

Page 36, delete lines 1 through 8.

Page 36, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 39. IC 20-19-2-11, AS AMENDED BY P.L.73-2011, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 11. (a) As used in this section, "plan" refers to a strategic and continuous school improvement and achievement plan developed under IC 20-31-5.

(b) A plan must:

- (1) conform to the requirements of IC 20-31-5; and
- (2) include a professional development program. ~~that conforms to IC 20-20-31-~~

(c) The governing body may do the following for a school that participates in a plan:

- (1) Invoke a waiver of a rule adopted by the state board under IC 20-31-5-5(b).
- (2) Develop a plan for the admission of students who do not reside in the school's attendance area but have legal

settlement in the school corporation.

(d) In approving a school corporation's actions under this section, the state board shall consider whether the governing body has done the following:

(1) Approved a school's plan.

(2) Demonstrated the support of the exclusive representative only for the professional development program component of the plan.

(e) The state board may waive any statute or rule relating to curriculum in accordance with IC 20-31-5-5.

(f) As part of the plan, the governing body may develop and implement a policy to do the following:

(1) Allow the transfer of a student who resides in the school's attendance area but whose parent requests that the student attend another school in the school corporation of legal settlement.

(2) Inform parents of their rights under this section.

(g) The state board shall adopt rules under IC 4-22-2 to implement this section."

Page 41, line 5, after "teacher" insert **"employed by a school corporation"**.

Page 41, between lines 6 and 7, begin a new line block indented and insert:

**"(9) The chief information officer or designee of the office of technology established by IC 4-13.1-2-1.**

**(10) One (1) member representing state government that has knowledge of school reporting requirements to state agencies other than the department, appointed by the governor."**

Page 41, line 12, delete "five (5)" and insert **"six (6)"**.

Page 41, line 16, delete "initial".

Page 41, line 17, delete "at the first meeting of the committee after June 30," and insert ".".

Page 41, delete lines 18 through 19.

Page 41, line 40, after "Sec. 6," insert **"(a)"**.

Page 41, line 40, delete "June 30, 2015," and insert **"July 31, 2015,"**.

Page 42, line 9, delete "June 30, 2015," and insert **"July 31, 2015,"**.

Page 42, line 16, delete "public" and insert **"accredited"**.

Page 42, line 18, delete "public" and insert **"accredited"**.

Page 42, line 23, after "of" insert **"the"**.

Page 42, line 23, delete "." and insert **", including the development of a standardized school improvement plan template for use by school corporations to prepare school improvement plans."**

Page 42, line 27, delete "July 1, 2015," and insert **"July 31, 2015,"**.

Page 42, line 41, delete "." and insert **"or recommendations."**

Page 42, line 42, delete "a" and insert **"the"**.

Page 43, line 1, delete "next state board's" and insert **"state board's next"**.

Page 43, line 27, after "description" insert **"of"**.

Page 44, line 3, delete "public" and insert **"accredited"**.

Page 45, delete lines 9 through 42.

Delete pages 46 through 47.

Page 48, delete lines 1 through 14.

Page 76, delete lines 31 through 37.

Page 78, delete lines 11 through 42.

Page 79, delete lines 1 through 30.

Page 80, delete lines 5 through 42.

Page 81, delete lines 1 through 26.

Page 91, delete lines 14 through 18, begin a new paragraph and insert:

**"(h) A governing body may hold up to two (2) training sessions each year outside the school corporation. The sessions may be conducted as executive sessions under IC 5-14-1.5."**

Page 103, delete lines 34 through 42.

Delete pages 104 through 106.

Page 107, delete lines 1 through 10.

Page 119, delete lines 12 through 41, begin a new paragraph and insert:

"SECTION 147. IC 20-26-9-18, AS ADDED BY P.L.54-2006, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 18. (a) Before July 1, 2007, each school board ~~shall~~ **may** establish a coordinated school health advisory council (referred to as the "advisory council" in this section). The advisory council may review the corporation's wellness policies on a yearly basis and suggest to the ~~school board~~ **governing body** for approval changes to the policies that comply with the requirements of federal ~~Public Law 108-265~~ **Public Law 111-296** and IC 5-22-15-24(c) before July 1 of each year. The advisory council must hold at least one (1) hearing at which public testimony about the local wellness policy being developed is allowed.

(b) The ~~school board~~ **governing body** may appoint the members of the advisory council, which must include the following:

- (1) Parents.
- (2) Food service directors and staff.
- (3) Students.
- (4) Nutritionists or certified dietitians.
- (5) Health care professionals.
- (6) School board members.
- (7) A school administrator.
- (8) Representatives of interested community organizations.

(c) ~~The school board shall adopt a school district policy on child nutrition and physical activity that takes into consideration recommendations made by the advisory council. In adopting a school corporation policy on child nutrition and physical activity policy under federal Public Law 111-296, the governing body may take into consideration recommendations made by the advisory council.~~

(d) The department shall, in consultation with the state department of health, provide technical assistance to ~~the advisory councils; schools,~~ including providing information on health, nutrition, and physical activity, through educational materials and professional development opportunities. ~~The department shall provide the information given to an advisory council under this subsection to a school or parent upon request.~~

SECTION 148. IC 20-26-9-18.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 18.5. **All food and beverages, other than meals reimbursed under programs authorized by the Richard B. Russell National School Lunch Act and the Child Nutritional Act of 1966 (42 U.S.C. 1751 et seq.) that are available for sale to students at school during the school day must meet or exceed the nutrition requirements prescribed for such food and beverages by the United States Secretary of Agriculture under 7 CFR 210.11."**

Page 138, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 192. IC 20-27-4-5, AS ADDED BY P.L.1-2005, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) If a school corporation requires funds to purchase a school bus for cash, the school corporation may, instead of issuing general obligation bonds, negotiate for and borrow funds or purchase the school bus on an installment conditional sales contract or a promissory note secured by the school bus.

(b) To effect a loan, the school corporation shall execute a negotiable note or notes to the lender. The notes may not extend for more than six (6) years. ~~and are payable at the same times and in the same manner as provided for security agreements in section 2 of this chapter.~~

(c) Before a note described in this section is executed, an appropriation for the amount of the purchase price of the school bus and any incidental expenses connected with the purchase or the loan, must be made in the same manner as other appropriations are made, except that the amount of the appropriation is not limited by the amount of funds available at the time of the loan or purchase or by the amount of funds to be raised by a tax levy effective at the time of the loan.

(d) A petition to borrow, a notice to taxpayers, or other formality is not necessary to borrow funds under this section except as specifically provided in this chapter."

Page 147, delete lines 2 through 34, begin a new paragraph and insert:

"SECTION 216. IC 20-28-6-6, AS AMENDED BY P.L.48-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) A temporary teacher's contract shall be used only for employing:

(1) a teacher to serve in the absence of a teacher who has been granted a leave of absence by the school corporation for:

- (A) engaging in defense service or in service auxiliary to defense service;
- (B) professional study or advancement;
- (C) exchange teaching;
- (D) extended disability to which a licensed physician has attested; or
- (E) serving in the general assembly; or

(2) a new teacher for a position:

- (A) that is funded by a grant outside the school funding formula for which funding is available only for a specified period or purpose; or
- (B) vacated by a teacher who is under a regular contract and who temporarily accepts a teacher position that is funded by a grant outside the school funding formula for which funding is available only for a specified period or purpose.

(b) The temporary teacher's contract must contain:

- (1) the provisions of the regular teacher's contract except those providing for continued tenure of position;
- (2) a blank space for the name of the teacher granted the leave, which may not be used on another temporary teacher's contract for the same leave of absence; and
- (3) an expiration date that:
  - (A) is the date of the return of the teacher on leave; and
  - (B) is not later than the end of the school year.

(c) If a teacher is employed on the temporary teacher's contract for at least sixty (60) days in a school year, the teacher may, on request, receive the service credit that the teacher would otherwise receive with regard to the Indiana state teachers' retirement fund.

**(d) A school corporation is not required to use a temporary teacher's contract for employing a teacher to serve in the absence of a teacher who has been granted a leave of absence."**

Page 148, delete lines 38 through 42.

Page 149, line 1, delete "(4)" and insert "(3)".

Page 149, line 11, delete "(5)" and insert "(4)".

Page 149, line 12, delete "(6)" and insert "(5)".

Page 149, line 13, delete "(7)" and insert "(6)".

Page 149, line 16, delete "." and insert **"in the manner set forth in sections 2 through 4 of this chapter."**

Page 149, reset in roman lines 17 through 21.

Page 150, reset in roman lines 9 through 10.

Page 150, line 34, after "a" insert **"probationary,"**.

Page 150, line 34, after "professional" insert **"."**.

Page 151, delete lines 9 through 13.

Page 151, line 35, strike "entered into less than fourteen (14) days before the".

Page 151, line 36, strike "day on which teachers must report for work".

Page 151, line 38, delete "." and insert **"and the contract is entered into less than fourteen (14) days before the day on which the teacher must report for work at that school."**

Page 156, delete lines 34 through 42.

Delete page 157.

Page 158, delete lines 1 through 14.

Page 163, delete lines 24 through 42.

Delete pages 164 through 165.

Page 166, delete lines 1 through 2, begin a new paragraph and insert:

"SECTION 256. IC 20-31-5-4, AS AMENDED BY P.L.246-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) A plan must:

(1) state objectives for a three (3) year period; and

(2) be annually reviewed and revised to accomplish the achievement objectives of the school.

(b) A plan must establish objectives for the school to achieve.

(c) This subsection does not apply to a school that is designated in the top category or designation of school improvement under IC 20-31-8-4 in the year immediately preceding the year in which the school's initial plan is implemented. These achievement objectives must be consistent with academic standards and include improvement in at least the following areas:

(1) Attendance rate; as set forth in the plan developed under IC 20-19-3-12.2.

(2) The educational needs of students who have been identified to be chronically absent or habitually truant from school.

(3) The percentage of students meeting academic standards under the ISTEP program (IC 20-31-3 and IC 20-32-5).

(4) For a secondary school; graduation rate.

(d) (c) A plan must address the learning needs of all students, including programs and services for exceptional learners.

(e) (d) A plan must specify how and to what extent the school expects to make continuous improvement in all areas of the education system where results are measured by setting benchmarks for progress on an individual school basis.

(f) (e) A plan must note specific areas where improvement is needed immediately.

SECTION 257. IC 20-31-5-6 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 6: (a) This section does not apply to a school that is designated in the top category or designation of school improvement under IC 20-31-8-4 in the year immediately preceding the year in which the school's initial plan is implemented: A plan must contain the following components for the school:

(1) A list of the statutes and rules that the school wishes to have suspended from operation for the school:

(2) A description of the curriculum and information concerning the location of a copy of the curriculum that is available for inspection by members of the public:

(3) A description and name of the assessments that will be used in the school in addition to ISTEP program assessments:

(4) A plan to be submitted to the governing body and made available to all interested members of the public in an easily understood format:

(5) A provision to maximize parental participation in the school; which may include providing parents with:

(A) access to learning aids to assist students with school work at home;

(B) information on home study techniques; and

(C) access to school resources:

(6) For a secondary school; a provision to do the following:

(A) Offer courses that allow all students to become eligible to receive an academic honors diploma:

(B) Encourage all students to earn an academic honors diploma or complete the Core 40 curriculum:

(C) Reduce the number of graduation exam waivers granted to graduates:

(7) A provision to maintain a safe and disciplined learning environment for students and teachers that complies with the governing body's plan for improving student behavior and discipline developed under IC 20-26-5-32:

(8) A provision for the coordination of technology initiatives and ongoing professional development activities:

(b) If, for a purpose other than a plan under this chapter, a school has developed materials that are substantially similar to a component listed in subsection (a); the school may substitute those materials for the component listed in subsection (a):

Page 183, delete lines 39 through 42.

Page 184, delete lines 1 through 11.

Page 185, line 8, after "of" strike "all programs, classes, and".

Page 185, line 9, strike "schools for".

Page 185, line 9, delete "students with a".

Page 185, line 10, delete "disability," and insert **"special education programs and services,"**

Page 185, line 10, strike "public schools," and insert **"school corporations, charter schools,"**

Page 185, line 12, after "correction," strike "the".

Page 185, strike line 13.

Page 185, line 14, strike "rehabilitative services,".

Page 185, line 15, delete "." and insert **"to ensure compliance with federal and state special education laws and rules."**

Page 185, line 16, strike "Coordinate the work of schools".

Page 185, delete lines 17 through 18, and insert **"Take appropriate action to ensure school corporations, charter schools, and the department remain eligible for federal special education funds."**

Page 186, line 3, delete "(3)".

Page 186, line 3, strike "To make recommendations to the state board concerning".

Page 186, strike lines 4 through 7.

Page 186, line 10, delete "(A)".

Page 186, line 10, strike "The role of the teacher aide."

Page 186, line 11, delete "(B)".

Page 186, line 11, strike "Minimum training recommendations for teacher aides".

Page 186, strike lines 12 through 13.

Page 188, line 11, after "corporation" insert **"or charter school"**.

Page 196, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 322. IC 20-42.5-3-5, AS ADDED BY P.L.2-2007, SECTION 240, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) For each school year using the 2005-2006 school year as a baseline:

(1) the office of management and budget shall analyze and report to the state board, the governor, and the general assembly concerning the progress or lack of progress of each school corporation, of all school corporations in each educational service center's area, and in Indiana as a whole in improving the ratio of student instructional expenditures to all other expenditures for the previous school year;

(2) the state board shall recognize publicly each school corporation and educational service center that has an improved ratio of student instructional expenditures to all other expenditures during the previous school year;

(3) the office of management and budget and the division of finance of the department shall be available to consult with and provide technical assistance to each school corporation that did not have an improved ratio of student instructional expenditures to all other expenditures during



the previous school year; and

(4) each school corporation shall report to the public in the school corporation's annual performance report and to the members of the general assembly whose districts include the school corporation:

(A) the percentage of resources spent by the school corporation during the previous school year on each category of expenditures set forth in section 4 of this chapter; ~~and whether the school corporation met the goals established for the previous school year under section 6 of this chapter;~~

(B) the trend line for each category of expenditures set forth in section 4 of this chapter for the school corporation during the previous school year; **and**

(C) whether the school corporation did or did not make progress in improving the ratio of student instructional expenditures to all other expenditures during the previous school year. **and**

~~(D) the goals established under section 6 of this chapter for the current school year.~~

(b) The reports to the general assembly under subsection (a)(1) and to individual members of the general assembly under subsection (a)(4) must be submitted to the executive director of the legislative services agency in an electronic format under IC 5-14-6."

Page 202, after line 42, begin a new paragraph and insert:

"SECTION 336. IC 21-12-10-3, AS AMENDED BY P.L.281-2013, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. An individual is eligible for a Mitch Daniels early graduation scholarship if the individual:

(1) is a resident of Indiana, as defined by the commission;

(2) attended a publicly supported school on a full-time equivalency basis ~~(as defined in IC 20-43-1-14)~~ for at least the last two (2) semesters before the individual graduated from high school;

(3) had legal settlement (as defined in IC 20-18-2-11) in Indiana for at least the last two (2) semesters before the individual graduated from high school;

(4) met at least the minimum requirements set by the Indiana state board of education for granting a high school diploma by the end of grade 11 (including any summer school courses completed before July 1 of a year) and was awarded after December 31, 2010, a high school diploma by the publicly supported school that the individual last attended for course credits earned before the end of grade 11;

(5) was not enrolled in a publicly supported school for any part of grade 12;

(6) applies to the commission for a Mitch Daniels early graduation scholarship in the manner specified by the commission; and

(7) within five (5) months after graduating from high school:

(A) becomes a student in good standing at an approved postsecondary educational institution whose students are eligible to receive, before September 1, 2014, a higher education award (IC 21-12-3-11) or a freedom of choice grant (IC 21-12-4-4), or, after August 31, 2014, a higher education award or freedom of choice grant published under IC 21-12-1.7-3; and

(B) is engaged in a program that will lead to an approved postsecondary degree or credential.

SECTION 337. IC 21-18.5-4-8.5, AS ADDED BY P.L.268-2013, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8.5. (a) This section does not apply to a student who:

(1) receives a graduation waiver under IC 20-32-4-4; and

(2) receives a general diploma by satisfying the conditions set forth in IC 20-32-4-4, including, with respect to

IC 20-32-4-4(6), the condition set forth in IC 20-32-4-4(6)(B);

if the student has an individualized education program. ~~under IC 20-35-7.~~

(b) Except as provided in subsection (a), this section applies to a student who receives a graduation waiver under IC 20-32-4-4 after June 30, 2014.

(c) Notwithstanding any other law, and except as provided in subsection (e), a student who:

(1) receives a graduation waiver under IC 20-32-4-4; and

(2) receives a general diploma by satisfying the conditions set forth in IC 20-32-4-4, including, with respect to IC 20-32-4-4(6), the condition set forth in IC 20-32-4-4(6)(B);

is disqualified from receiving state scholarships, grants, or assistance administered by the commission unless the student passes a college and career readiness exam described in IC 20-32-9-3.

(d) The college and career readiness exam taken by a student under subsection (c) shall be administered by the secondary school that granted the student the graduation waiver. The cost of the exam shall be paid by the department.

(e) A student described in subsection (c) is not disqualified from receiving state scholarships, grants, or assistance administered by the commission for credit bearing degree seeking courses, as mutually defined by the commission and the postsecondary educational institution offering the course."

Page 203, line 4, reset in roman "shall".

Page 203, line 4, delete "may".

Page 209, delete lines 18 through 42.

Page 210, delete lines 1 through 40.

Page 213, delete lines 24 through 33.

Page 214, line 14, reset in roman "or".

Page 221, delete lines 35 through 42, begin a new paragraph and insert:

"SECTION 354. IC 36-1-12.5-10, AS AMENDED BY SEA 199-2015, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10. The governing body shall:

(1) provide to the director of the ~~Indiana office of energy development~~ **department of local government finance** not more than sixty (60) days after the date of execution of the guaranteed savings contract:

(A) a copy of the executed guaranteed savings contract;

(B) the:

(i) energy or water consumption costs;

(ii) wastewater usage costs; and

(iii) billable revenues, if any;

before the date of execution of the guaranteed savings contract; and

(C) the documentation using industry engineering standards for:

(i) stipulated savings; and

(ii) related capital expenditures; and

(2) annually report to the director of the ~~Indiana office of energy development~~ **department of local government finance**, in accordance with procedures established by the ~~director of the Indiana office of energy development~~ **department**, the savings resulting in the previous year from the guaranteed savings contract or utility efficiency program.

SECTION 355. IC 36-1-12.5-12, AS AMENDED BY SEA 199-2015, SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 12. (a) An improvement that is not causally connected to a conservation measure may be included in a guaranteed savings contract if:

(1) the total value of the improvement does not exceed fifteen percent (15%) of the total value of the guaranteed savings contract; and

(2) either:



(A) the improvement is necessary to conform to a law, a rule, or an ordinance; or

(B) an analysis within the guaranteed savings contract demonstrates that:

(i) there is an economic advantage to the political subdivision in implementing an improvement as part of the guaranteed savings contract; and

(ii) the savings justification for the improvement is documented by industry engineering standards.

(b) The information required under subsection (a) must be reported to the director of the ~~Indiana office of energy development~~ **department of local government finance**."

Page 222, delete lines 1 through 34.

Renumber all SECTIONS consecutively.

(Reference is to SB 500 as reprinted February 24, 2015.) and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BEHNING, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 509, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 14. IC 21-12-6-6, AS AMENDED BY P.L.107-2012, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) A student may apply to the commission for a scholarship. To qualify for a scholarship, the student must meet the following requirements:

(1) Be an eligible student who qualified to participate in the program under section 5 of this chapter.

(2) Be a resident of Indiana.

(3) Be a graduate from a secondary school located in Indiana that meets the admission criteria of an eligible institution and have achieved a cumulative grade point average in high school of:

(A) at least 2.0 on a 4.0 grading scale, if the student is expected to graduate from high school before July 1, 2014; and

(B) at least 2.5 on a 4.0 grading scale, if the student is expected to graduate from high school after June 30, 2014.

(4) Have applied to attend and be accepted to attend as a full-time student an eligible institution.

(5) Certify in writing that **before the student's graduation from high school** the student: ~~has:~~

(A) ~~did not illegally use~~ **use** controlled substances (as defined in IC 35-48-1-9);

(B) ~~did not illegally consumed~~ **consume** alcoholic beverages;

(C) ~~did not committed~~ **commit** any other crime or a delinquent act (as described in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their repeal));

(D) timely filed an application for other types of financial assistance available to the student from the state or federal government; and

(E) participated in an academic success program required under the rules adopted by the commission.

(6) Submit to the commission all the information and evidence required by the commission to determine eligibility as a scholarship applicant.

(7) This subdivision applies only to applicants who initially enroll in the program under section 5 of this chapter or IC 21-12-6.5-2 after June 30, 2011. For purposes of this chapter, applicants who are enrolled in the program before July 1, 2011, will not have an income or financial resources test applied to them when they subsequently apply for a scholarship. Have a lack of financial resources reasonably available to the applicant, as defined by the commission, that, in the absence of an award under this chapter, would deter the scholarship applicant from completing the applicant's education at the approved postsecondary educational institution that the applicant has selected and that has accepted the applicant.

(8) Meet any other minimum criteria established by the commission.

(b) This section applies to an individual who graduates from high school after December 31, 2011. To be eligible for a scholarship under this section, a student must initially attend the eligible institution described in subsection (a)(4) not later than the fall semester (or its equivalent, as determined by the commission) in the year immediately following the year in which the student graduates from high school."

Page 5, line 40, after "amount" insert **"not to exceed five hundred dollars (\$500)"**.

Page 5, line 42, delete "Indiana career council." and insert **"department of workforce development at any time during the four (4) year period ending on the recipient's graduation date."**

Renumber all SECTIONS consecutively.

(Reference is to SB 509 as printed February 20, 2015.)

and when so amended that said bill do pass.

Committee Vote: yeas 20, nays 0.

BROWN T, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 522, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 522 as printed February 13, 2015.)

Committee Vote: Yeas 12, Nays 0.

WASHBURN, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 556, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 556 as reprinted February 17, 2015.)

Committee Vote: Yeas 13, Nays 0.

FRYE R, Chair

Report adopted.

#### HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, March 30, 2015, at 1:30 p.m.

FRIEND

The motion was adopted by a constitutional majority.

## ENGROSSED SENATE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: Engrossed Senate Bills 10, 123, 283, 361, 394 and 487.

The House recessed until the fall of the gavel.

### RECESS

The House reconvened at 12:40 p.m.

Upon request of Representative Klinker, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 330: 68 present. The Speaker declared a quorum present.

Representatives Bauer and C. Brown, who had been present are now excused.

## ENGROSSED SENATE BILLS ON SECOND READING

### Engrossed Senate Bill 309

Representative Koch called down Engrossed Senate Bill 309 for second reading. The bill was read a second time by title.

#### HOUSE MOTION (Amendment 309-5)

Mr. Speaker: I move that Engrossed Senate Bill 309 be amended to read as follows:

Page 5, line 5, delete "12," and insert "19,".

Page 5, line 13, delete "12," and insert "19,".

Page 5, line 17, delete "13," and insert "20,".

Page 5, line 18, delete "13," and insert "20,".

(Reference is to ESB 309 as printed March 20, 2015.)

KOCH

Motion prevailed.

#### HOUSE MOTION (Amendment 309-1)

Mr. Speaker: I move that Engrossed Senate Bill 309 be amended to read as follows:

Page 5, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 2. IC 8-1-8.5-5, AS AMENDED BY P.L.210-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) As a condition for receiving the certificate required under section 2 of this chapter, the applicant shall file an estimate of construction, purchase, or lease costs in such detail as the commission may require.

(b) The commission shall hold a public hearing on each such application. The commission may consider all relevant information related to construction, purchase, or lease costs. A certificate shall be granted only if the commission has:

(1) made a finding as to the best estimate of construction, purchase, or lease costs based on the evidence of record;

(2) made a finding that either:

(A) the construction, purchase, or lease will be consistent with the commission's plan (or such part of the plan as may then be developed, if any) for expansion of electric generating capacity; or

(B) the construction, purchase, or lease is consistent with a utility specific proposal submitted under section 3(e) of this chapter and approved under subsection (d). However, if the commission has developed, in whole or in part, a plan for the expansion of electric generating

capacity and the applicant has filed and the commission has approved under subsection (d) a utility specific proposal submitted under section 3(e) of this chapter, the commission shall make a finding under this clause that the construction, purchase, or lease is consistent with the commission's plan, to the extent developed, and that the construction, purchase, or lease is consistent with the applicant's plan under section 3(e) of this chapter, to the extent the plan was approved by the commission;

(3) made a finding that the public convenience and necessity require or will require the construction, purchase, or lease of the facility;

(4) made a finding that the facility, if it is a coal-consuming facility, utilizes Indiana coal or is justified, because of economic considerations or governmental requirements, in using non-Indiana coal; and

(5) made the findings under subsection ~~(e)~~; **if (e) or (f), as applicable.**

(c) If:

(1) the commission grants a certificate under this chapter based upon a finding under subsection (b)(2) that the construction, purchase, or lease of a generating facility is consistent with the commission's plan for the expansion of electric generating capacity; and

(2) a court finally determines that the commission plan is invalid;

the certificate shall remain in full force and effect if the certificate was also based upon a finding under subsection (b)(2) that the construction, purchase, or lease of the facility was consistent with a utility specific plan submitted under section 3(e) of this chapter and approved under subsection (d).

(d) The commission shall consider and approve, in whole or in part, or disapprove a utility specific proposal or an amendment thereto jointly with an application for a certificate under this chapter. However, such an approval or disapproval shall be solely for the purpose of acting upon the pending certificate for the construction, purchase, or lease of a facility for the generation of electricity.

(e) This subsection applies if an applicant **that is a municipally owned utility, a cooperatively owned utility, or a joint agency created under IC 8-1-2.2** proposes to construct, **purchase, or lease** a facility with a generating capacity of more than eighty (80) megawatts. Before granting a certificate to the applicant, the commission:

(1) must, in addition to the findings required under subsection (b), find that the estimated costs of the proposed facility are, to the extent commercially practicable, the result of competitively bid engineering, procurement, or construction contracts, as applicable; and

(2) shall also consider the following factors:

(A) Reliability.

(B) Solicitation by the applicant of competitive bids to obtain purchased power capacity and energy from alternative suppliers.

The applicant, including an affiliate of the applicant, may participate in competitive bidding described in this subsection.

**(f) This subsection applies if an applicant that is an electricity supplier (as defined in IC 8-1-37-6) proposes to construct, purchase, or lease a facility with a generating capacity of more than twenty (20) megawatts. Before granting a certificate to the applicant, the commission must, in addition to the findings required under subsection (b), find that the applicant has issued a request for proposals under section 5.1 of this chapter. The electricity supplier is not required to award the contract under the request for proposals as a condition of receiving the certificate.**

SECTION 3. IC 8-1-8.5-5.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 5.1. (a) For purposes of**

this section, "electricity supplier" has the meaning set forth in IC 8-1-37-6.

(b) For purposes of this section, "project" refers to the construction, purchase, or lease of a facility with a generating capacity of more than twenty (20) megawatts.

(c) This section does not apply to the purchase, in any amount or manner, of energy, capacity, or ancillary service from a regional transmission organization.

(d) Before an electricity supplier may apply for a certificate required under section 2 of this chapter for a facility project, the electricity supplier shall issue a request for proposals for the facility project. The electricity supplier shall simultaneously:

(1) give public notice of the request for proposals in the manner required by IC 5-3-1; and

(2) provide electronic access to the notice through its Internet web site.

(e) Proposals must be submitted:

(1) simultaneously to the electricity supplier and the office of utility consumer counselor; and

(2) not more than ninety (90) days after notice is first published under subsection (d).

(f) A request for proposals under this section must include the following:

(1) The factors or criteria that the electricity supplier will use to evaluate the proposals.

(2) A scoring matrix that indicates the relative importance of the factors or criteria described in subdivision (1).

(3) Service and performance obligations.

(4) Dispatchability options.

(5) Conditions of termination or defaults.

(6) Fuel price forecasts used to evaluate bid prices.

(7) Other factors the electricity supplier considers necessary.

(g) The utility consumer counselor shall conduct an independent review or analysis of proposals submitted under subsection (e). In reviewing or analyzing the proposals for cost effectiveness and reasonableness, the utility consumer counselor shall consider the following factors:

(1) The capability of each offeror to perform the requirements of the proposal.

(2) Economic benefits resulting from the request for proposal process.

(3) The life cycle cost of the project.

(4) Fuel price volatility and risk.

(5) Reliability.

(6) Energy diversity of the facility relative to the electricity supplier's total generation portfolio.

(7) Other factors the utility consumer counselor considers necessary.

The utility consumer counselor shall provide the results of the review or analysis in an electronic format to the electricity supplier and the commission. The utility consumer counselor is not required to provide the results before the commission grants the certificate required under section 2 of this chapter.

(h) The office of utility consumer counselor may enter into a contract with an independent third party to conduct the review or analysis of proposals under subsection (g). The electricity supplier that issued the request for proposals is responsible for all costs under the contract.

(i) An electricity supplier shall:

(1) award the contract for a project to the offeror that submits the most cost effective and reasonable proposal; and

(2) provide notice of the award to the commission and the office of utility consumer counselor.

The commission shall determine whether the successful offeror submitted the most cost effective and reasonable

proposal.

(j) For purposes of determining under subsection (i) whether the successful offeror submitted the most cost effective and reasonable proposal, the commission shall consider the following factors:

(1) The review or analysis conducted by the utility consumer counselor under subsection (g) or an independent third party under subsection (h), as applicable.

(2) Other criteria the commission considers necessary.

(k) For purposes of this section, the most cost effective and reasonable proposal is not necessarily the least or lowest cost proposal.

(l) An electricity supplier, including an affiliate of the electricity supplier, may participate in the request for proposals process for a project of the electricity supplier.

(m) An electricity supplier may issue a request for information before issuing a request for proposals under this section.

(n) A proposal submitted under this section is declared confidential for purposes of IC 5-14-3.

(o) The commission shall adopt rules under IC 4-22-2 to implement this section."

Renumber all SECTIONS consecutively.

(Reference is to ESB 309 as printed March 20, 2015.)

NEGELE

Motion withdrawn. The bill was ordered engrossed.

## Engrossed Senate Bill 369

Representative Zent called down Engrossed Senate Bill 369 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 426, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, strike "(a)".

Page 1, line 11, delete "If the candidate holds the office of county assessor".

Page 1, delete lines 12 through 16.

Page 2, delete lines 15 through 20.

Page 2, delete lines 39 through 42, begin a new paragraph and insert:

"SECTION 3. IC 6-1.1-1-24, AS AMENDED BY P.L.1-2010, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 24. If a transfer from a township assessor to the county assessor of the assessment duties prescribed by this article ~~results from the failure of a person elected to the office of township assessor to attain the certification of a level two assessor-appraiser as provided in IC 3-8-1-23-6; occurs~~ as described in IC 36-2-15-5(c), a reference to the township assessor in this article is considered to be a reference to the county assessor.

SECTION 4. IC 36-2-5-3, AS AMENDED BY P.L.219-2007, SECTION 106, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) The county fiscal body shall fix the compensation of officers, deputies, and other employees whose compensation is payable from the county general fund, county highway fund, county health fund, county park and recreation fund, aviation fund, or any other fund from which the county auditor issues warrants for compensation. This includes the power to:

(1) fix the number of officers, deputies, and other employees;

(2) describe and classify positions and services;

(3) adopt schedules of compensation; and

(4) hire or contract with persons to assist in the development of schedules of compensation.

(b) Subject to subsection (c), the county fiscal body shall provide for a county assessor or elected township assessor who has attained a level two or level three certification under IC 6-1.1-35.5 to receive annually one thousand dollars (\$1,000); which is in addition to and not part of the annual compensation of the assessor. Subject to subsection (c), the county fiscal body shall provide for a county or township deputy assessor who has attained a level two or level three certification under IC 6-1.1-35.5 to receive annually five hundred dollars (\$500); which is in addition to and not part of the annual compensation of the county or township deputy assessor.

(c) (b) Notwithstanding subsection (a), the board of each local health department shall prescribe the duties of all its officers and employees, recommend the number of positions, describe and classify positions and services, adopt schedules of compensation, and hire and contract with persons to assist in the development of schedules of compensation.

(d) (c) This section does not apply to community corrections programs (as defined in IC 11-12-1-1 and IC 35-38-2.6-2).

(e) Subsection (b) applies regardless of whether the assessor or deputy assessor attained the level two certification:

(1) while in office; or

(2) before assuming office.

SECTION 5. IC 36-2-5-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3.5. (a) The county fiscal body shall establish the salary for the county assessor so that a county assessor who has attained a level three certification under IC 6-1.1-35.5 is entitled to an annual salary that is at least two thousand five hundred dollars (\$2,500) more than the salary of a county assessor who has a level two certification. If a county assessor who takes office with a level two certification attains a level three certification not later than January 1 of the third year of the county assessor's term of office, the county assessor is entitled to be paid the salary of a county assessor who has attained a level three certification, beginning on the date the county assessor attains the level three certification.

(b) The county fiscal body shall establish the salary for an elected township assessor of the county so that a township assessor who has attained a level three certification under IC 6-1.1-35.5 is entitled to an annual salary that is at least two thousand five hundred dollars (\$2,500) more than the salary of a township assessor who has a level two certification. If a township assessor who takes office with a level two certification attains a level three certification not later than January 1 of the third year of the township assessor's term of office, the township assessor is entitled to be paid the salary of a township assessor who has attained a level three certification, beginning on the date the township assessor attains the level three certification.

(c) The county fiscal body shall establish the salary for a county or township deputy assessor so that a deputy assessor who has attained a level two or level three certification under IC 6-1.1-35.5 is entitled to receive an annual salary that is at least five hundred dollars (\$500) more than a deputy assessor who has not attained a level two or a level three certification, beginning on the date the township assessor attains the level two or level three certification.

SECTION 6. IC 36-2-15-2, AS AMENDED BY P.L.88-2005, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) A county assessor shall be elected under IC 3-10-2-13 by the voters of the county.

(b) To be eligible to serve as an assessor, a person an individual must meet the following qualifications prescribed by

~~IC 3-8-1-23~~ before taking office:

(1) If the individual has never held the office of county assessor, the individual must have attained a level two assessor-appraiser certification under IC 6-1.1-35.5.

(2) If the individual has held the office of county assessor, the individual must have attained a level three assessor-appraiser certification under IC 6-1.1-35.5.

(c) A county assessor must reside within the county as provided in Article 6, Section 6 of the Constitution of the State of Indiana. The assessor forfeits office if the assessor ceases to be a resident of the county.

(d) The term of office of a county assessor is four (4) years, beginning January 1 after election and continuing until a successor is elected and qualified.

SECTION 7. IC 36-2-15-5, AS AMENDED BY P.L.76-2014, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) The county assessor shall perform the functions assigned by statute to the county assessor, including the following:

(1) Countywide equalization.

(2) Selection and maintenance of a countywide computer system.

(3) Certification of gross assessments to the county auditor.

(4) Discovery of omitted property.

(5) In:

(A) a township in which the transfer of duties of the elected township assessor is required by subsection (c); or

(B) a township in which the duties relating to the assessment of tangible property are not required to be performed by a township assessor elected under IC 36-6-5;

performance of the assessment duties prescribed by IC 6-1.1.

(b) A transfer of duties between assessors does not affect:

(1) any assessment, assessment appeal, or other official action made by an assessor before the transfer; or

(2) any pending action against, or the rights of any party that may possess a legal claim against, an assessor that is not described in subdivision (1).

Any assessment, assessment appeal, or other official action of an assessor made by the assessor within the scope of the assessor's official duties before the transfer is considered as having been made by the assessor to whom the duties are transferred.

(c) If

(1) for a particular general election after June 30, 2008, the person individual elected to the office of township assessor has not attained the assessor-appraiser certification of a level two assessor-appraiser or

(2) for a particular general election after January 1, 2016, the person elected to the office of township assessor has not attained the certification of a level three assessor-appraiser;

as provided in ~~IC 3-8-1-23.6~~ level required by IC 36-6-5-1 before the date the term of office begins, the assessment duties prescribed by IC 6-1.1 that would otherwise be performed in the township by the township assessor are transferred to the county assessor on that date. If assessment duties in a township are transferred to the county assessor under this subsection, those assessment duties are transferred back to the township assessor if at a later election a person an individual who has attained the required level of assessor-appraiser certification referred to in subdivision (1) or (2) level required by IC 36-6-5-1 is elected to the office of township assessor.

(d) If assessment duties in a township are transferred to the county assessor under subsection (c), the office of elected township assessor remains vacant for the period during which

the assessment duties prescribed by IC 6-1-1 are transferred to the county assessor:

(c) A referendum shall be held under sections 7.4 through 11 of this chapter in each township in which the number of parcels of real property on January 1, 2008; is at least fifteen thousand (15,000) to determine whether to transfer to the county assessor the assessment duties prescribed by IC 6-1-1 that would otherwise be performed by the elected township assessor of the township."

SECTION 8. IC 36-2-15-7.4 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 7.4: (a) Assessment duties are transferred to the county assessor as described in section 5(e) of this chapter only if a majority of the individuals in the township who vote in a referendum that is conducted in accordance with this section and sections 8 through 11 of this chapter approves the transfer:

(b) The question to be submitted to the voters in the referendum must read as follows:

"Should the assessing duties of the elected township assessor in the township be transferred to the county assessor?"

SECTION 9. IC 36-2-15-8 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 8: (a) The county legislative body shall act under IC 3-10-9-3 to certify the question to be voted on at the referendum under this chapter to the county election board:

(b) Each county clerk shall, upon receiving the question certified by the county legislative body under subsection (a); call a meeting of the county election board to make arrangements for the referendum:

(c) The referendum shall be held in the general election in 2008:

(d) The referendum shall be held under the direction of the county election board; which shall take all steps necessary to carry out the referendum:

(e) Not less than ten (10) days before the date on which the referendum is to be held; the county election board shall cause notice of the question that is to be voted upon at the referendum to be published in accordance with IC 5-3-1:

SECTION 10. IC 36-2-15-9 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 9: Each county election board shall cause:

(1) the question certified to the circuit court clerk by the county legislative body to be placed on the ballot in the form prescribed by IC 3-10-9-4; and

(2) an adequate supply of ballots and voting equipment to be delivered to the precinct election board of each precinct in which the referendum under this chapter is to be held:

SECTION 11. IC 36-2-15-10 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 10: The individuals entitled to vote in a referendum under this chapter are all the registered voters resident in the township in which the referendum is held:

SECTION 12. IC 36-2-15-11 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 11: (a) Each precinct election board shall count the affirmative votes and the negative votes cast in the referendum under this chapter and shall certify those two (2) totals to the county election board of the county: The circuit court clerk of the county shall, immediately after the votes cast in the referendum have been counted; certify the results of the referendum to the county legislative body: Upon receiving the certification of all the votes cast in the referendum; the county legislative body shall promptly notify the department of local government finance of the result of the referendum: If a majority of the individuals who voted in the referendum voted "yes" on the referendum question:

(1) the county legislative body shall promptly notify:

(A) the county assessor;

(B) the elected township assessor in the township; and

(C) each candidate in an election described in subsection (b);

of the results of the referendum; and

(2) with respect to a particular elected township assessor in the county; the assessment duties prescribed by IC 6-1-1

are transferred to the county assessor on January 1, 2009:

(b) If:

(1) an election is held in the general election in 2008 of an elected township assessor; and

(2) a majority of the individuals who voted in the referendum held under this chapter voted "yes" on the referendum question;

the results of the election of the elected township assessor are nullified."

Delete pages 3 through 4.

Page 5, delete lines 1 through 4.

Page 5, line 10, delete "2016," and insert "2017,".

Page 5, line 14, delete "2016," and insert "2017,".

Page 5, line 17, delete "2016." and insert "2017,".

Page 5, line 20, after "authorize" insert "either of the following:"

Page 5, line 20, delete "the", begin a new line block indented and insert:

"(1) The".

Page 5, between lines 22 and 23, begin a new line block indented and insert:

"(2) Contracting with a person who has attained, or who employs for purposes of the contract an individual who has attained, the certification of a level three assessor-appraiser under IC 6-1-1-35.5.

Payment for the deputy, employee, or contractor shall be made from the budget for the county assessor."

Page 5, delete lines 23 through 42, begin a new paragraph and insert:

"SECTION 14. IC 36-6-5-1, AS AMENDED BY P.L.1-2009, SECTION 164, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) Subject to subsection (g), before 2009, a township assessor shall be elected under IC 3-10-2-13 by the voters of each township:

(1) having:

(A) a population of more than eight thousand (8,000); or

(B) an elected township assessor or the authority to elect a township assessor before January 1, 1979; and

(2) in which the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000).

(b) Subject to subsection (g), before 2009, a township assessor shall be elected under IC 3-10-2-14 (repealed effective July 1, 2008) in each township:

(1) having a population of more than five thousand (5,000) but not more than eight thousand (8,000), if:

(A) the legislative body of the township, by resolution, declares that the office of township assessor is necessary; and

(B) the resolution is filed with the county election board not later than the first date that a declaration of candidacy may be filed under IC 3-8-2; and

(2) in which the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000).

(c) Subject to subsection (g), a township government that is created by merger under IC 36-6-1.5 shall elect only one (1) township assessor under this section.

(d) Subject to subsection (g), after 2008 a township assessor shall be elected under IC 3-10-2-13 only by the voters of each township in which:

(1) the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000); and

(2) the transfer to the county assessor of the assessment duties prescribed by IC 6-1-1 is disapproved in the referendum under IC 36-2-15.

(e) The township assessor must reside within the township as provided in Article 6, Section 6 of the Constitution of the State of Indiana. The assessor forfeits office if the assessor ceases to be a resident of the township.

(f) The term of office of a township assessor is four (4) years,

beginning January 1 after election and continuing until a successor is elected and qualified. However, the term of office of a township assessor elected at a general election in which no other township officer is elected ends on December 31 after the next election in which any other township officer is elected.

(g) **A person who runs for the office of township assessor in an election after June 30, 2008, is subject to IC 3-8-1-23.6. To be eligible to serve as a township assessor, an individual must meet the following qualifications before taking office:**

**(1) If the individual has never held the office of township assessor, the individual must have attained a level two assessor-appraiser certification under IC 6-1.1-35.5.**

**(2) If the individual has held the office of township assessor, the individual must have attained a level three assessor-appraiser certification under IC 6-1.1-35.5.**

(h) After June 30, 2008, the county assessor shall perform the assessment duties prescribed by IC 6-1.1 in a township in which the number of parcels of real property on January 1, 2008, is less than fifteen thousand (15,000)."

Delete page 6.

Page 7, delete line 1.

Page 7, line 5, delete "2016," and insert "2017,".

Page 7, line 9, delete "2016," and insert "2017,".

Page 7, line 12, delete "2016." and insert "2017,".

Page 7, line 15, after "authorize" insert **"either of the following:"**.

Page 7, line 15, delete "the", begin a new line block indented and insert:

**"(1) The"**.

Page 7, after line 17, begin a new line block indented and insert:

**"(2) Contracting with a person who has attained, or who employs for purposes of the contract an individual who has attained, the certification of a level three assessor-appraiser under IC 6-1.1-35.5.**

**Payment for the deputy, employee, or contractor shall be made from the budget for the township assessor."**

Renumber all SECTIONS consecutively.

(Reference is to SB 426 as reprinted February 24, 2015.) and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 2.

PRICE, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred Senate Bill 508, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 16-42-5-29, AS AMENDED BY P.L.154-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 29. (a) This section applies to an individual vendor of a farmer's market or roadside stand.

(b) As used in this section, "end consumer" means a person who is the last person to purchase any food product and who does not resell the food product.

(c) An individual vendor of a farmer's market or roadside stand is not considered to be a food establishment and is exempt from the requirements of this title that apply to food establishments if the individual vendor's food product:

- (1) is made, grown, or raised by an individual at the individual's primary residence, property owned by the individual, or property leased by the individual;
- (2) is not a potentially hazardous food product;
- (3) is prepared by an individual who practices proper sanitary procedures, including:

(A) proper hand washing;

(B) sanitation of the container or other packaging in which the food product is contained; and

(C) safe storage of the food product;

~~(4) consists of eggs meeting the requirements of IC 16-42-11;~~

~~(5) (4) is not resold; and~~

~~(6) (5) includes a label that contains the following information:~~

~~(A) The name and address of the producer of the food product.~~

~~(B) The common or usual name of the food product.~~

~~(C) The ingredients of the food product, in descending order by predominance by weight.~~

~~(D) The net weight and volume of the food product by standard measure or numerical count.~~

~~(E) The date on which the food product was processed.~~

~~(F) The following statement in at least 10 point type: "This product is home produced and processed and the production area has not been inspected by the state department of health."~~

(d) An individual vendor who meets the requirements in subsection (c) is subject to food sampling and inspection if:

(1) the state department determines that the individual vendor's food product is:

(A) misbranded under IC 16-42-2-3; or

(B) adulterated; or

(2) a consumer complaint has been received by the state department.

(e) If the state department has reason to believe that an imminent health hazard exists with respect to an individual vendor's food product, the state department may order cessation of production and sale of the food product until the state department determines that the hazardous situation has been addressed.

(f) For purposes of this section, the state health commissioner or the commissioner's authorized representatives may take samples for analysis and conduct examinations and investigations through any officers or employees under the state health commissioner's supervision. Those officers and employees may enter, at reasonable times, the facilities of an individual vendor and inspect any food products in those places and all pertinent equipment, materials, containers, and labeling.

(g) The state health commissioner may develop guidelines for an individual vendor who seeks an exemption from regulation as a food establishment as described in subsection (c). The guidelines may include:

(1) standards for best safe food handling practices;

(2) disease control measures; and

(3) standards for potable water sources.

(h) The department shall adopt rules that:

(1) exclude slaughtering and processing of poultry on a farm for the purpose of conducting limited sales under 9 CFR 381.10, as adopted by reference in 345 IAC 10-2.1-1, from the definition of food establishment if the slaughtered and processed poultry or poultry product is sold only **to the end consumer on a the farm where the poultry is produced**, at a farmer's market, ~~through delivery~~, or at a roadside stand;

(2) require that poultry processed under this section that is sold on a farm be refrigerated at the point of sale and labeled in compliance with the requirements of 9 CFR 381.10;

(3) allow rabbits to be slaughtered and processed on a

- farm for the purpose of conducting limited sales on the farm, at a farmer's market, and at a roadside stand;
- (4) require that rabbits processed under this section be frozen at the point of sale; and
- (5) require that poultry processed under this section that is sold at a farmer's market ~~through delivery~~, or at a roadside stand be frozen at the point of sale and labeled in compliance with the requirements of 9 CFR 381.10.

An individual vendor of a farmer's market or roadside stand operating under the exclusion provided in this subsection must slaughter and process poultry in compliance with the Indiana state board of animal health requirements for producers operating under 9 CFR 381.10. Poultry processed under the exclusion provided in this subsection must be used, sold, or frozen within seventy-two (72) hours of processing.

**(i) An individual vendor of a farmer's market or roadside stand that sells eggs that meet the requirements under IC 16-42-11 is not considered to be a food establishment and is exempt from the requirements of this title that apply to food.**

**(j)** Notwithstanding any other law, a local unit of government (as defined in IC 14-22-31.5-1) may not by ordinance or resolution require any licensure, certification, or inspection of foods or food products of an individual vendor who meets the requirements in subsection (c), including an individual vendor who delivers the individual's food or food product directly to an end consumer."

Page 2, line 20, delete "kneading, or tapping" and insert "**or kneading**".

Page 2, line 24, after "surgery," insert "**chiropractic, or acupuncture,**".

Page 2, after line 25, begin a new paragraph and insert:

"SECTION 2. IC 25-38.1-4-5, AS ADDED BY P.L.58-2008, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) A licensed veterinarian may write prescriptions. Pharmacists shall give the prescriptions written by a licensed veterinarian the same recognition given the prescriptions of persons holding an unlimited license to practice medicine or osteopathic medicine.

(b) A valid veterinarian-client-patient relationship must exist before a licensed veterinarian dispenses or prescribes a prescription product.

(c) Veterinary prescription products, including drugs and immunizing products restricted by state and federal law for use by licensed veterinarians, may not be diverted or transferred to an individual for use on an animal if there is not a current veterinarian-client-patient relationship with the original prescribing veterinarian.

(d) If a veterinarian prescribes a drug for the client's animal, upon request, the veterinarian shall provide the prescription to the client, unless prohibited by state or federal law or to prevent inappropriate use.

**(e) This subsection does not apply to the use of a veterinary prescription product on:**

- (1) livestock (as defined by IC 15-11-5-1); or**
- (2) a domesticated animal, including a domesticated animal normally maintained in or near an owner's home, by the animal's owner or a person who cares for the animal.**

**Before a person may administer a veterinary prescription product, including an antibiotic or immunization product, on a dog, cat, or other domesticated animal, the person shall obtain a prescription for the veterinary prescription product from a licensed veterinarian.**

SECTION 3. IC 26-3-7-6.1, AS AMENDED BY HEA-1549, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6.1. (a) Not more than ninety (90) days after the end of a licensee's fiscal year, the licensee shall file with the agency a current review level financial statement or better financial statement that reflects the

licensee's financial situation for the previous fiscal year. The financial statement must be submitted with the licensee's renewal forms and fees.

- (b) A financial statement submitted under this section must:
- (1) be prepared by an independent accountant certified under IC 25-2.1;
  - (2) comply with generally accepted accounting principles; and
  - (3) contain:
    - (A) an income statement;
    - (B) a balance sheet;
    - (C) a statement of cash flow;
    - (D) a statement of retained earnings;
    - (E) an aged accounts receivable listing detailing accounts that are ninety (90) days due, one hundred twenty (120) days due, and more than one hundred twenty (120) days due;
    - (F) a copy of the daily position record for the end of the licensee's fiscal year;
    - (G) the preparer's notes; and
    - (H) other information the agency requires.

The director may adopt rules under IC 4-22-2 to allow the agency to accept other substantial supporting documents instead of those listed to determine the financial solvency of the applicant if the director determines that providing the listed documents creates a financial or other hardship on the applicant or licensee.

(c) If the licensee has failed to timely file the financial statement, **renewal form, or renewal fee** as required in subsection (a), the agency may assess a fine as follows:

- (1) Fifty percent (50%) of the licensee's renewal fee for a financial statement, renewal form, or renewal fee that is at least **one (1) day and not more than sixty (60) days** late.
- (2) One hundred percent (100%) of the licensee's renewal fee for a financial statement, renewal form, or renewal fee that is more than sixty (60) days late.

(d) The agency may file a notice of hearing for any fines assessed under subsection (c)."

Renumber all SECTIONS consecutively.

(Reference is to SB 508 as reprinted February 11, 2015.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

LEHE, Chair

Report adopted.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 530, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, after line 33, begin a new paragraph and insert:

"SECTION 2. IC 5-3-1-2, AS AMENDED BY P.L.183-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) This section applies only when notice of an event is required to be given by publication in accordance with this chapter.

(b) If the event is a public hearing or meeting concerning any matter not specifically mentioned in subsection (c), (d), (e), (f), (g), ~~or~~ (h), **or (i)**, notice shall be published one (1) time, at least ten (10) days before the date of the hearing or meeting.

(c) If the event is an election, notice shall be published one (1) time, at least ten (10) days before the date of the election.

(d) If the event is a sale of bonds, notes, or warrants, notice shall be published two (2) times, at least one (1) week apart, with:

- (1) the first publication made at least fifteen (15) days before the date of the sale; and
- (2) the second publication made at least three (3) days



before the date of the sale.

(e) If the event is the receiving of bids, notice shall be published two (2) times, at least one (1) week apart, with the second publication made at least seven (7) days before the date the bids will be received.

(f) If the event is the establishment of a cumulative or sinking fund, notice of the proposal and of the public hearing that is required to be held by the political subdivision shall be published two (2) times, at least one (1) week apart, with the second publication made at least three (3) days before the date of the hearing.

(g) If the event is the submission of a proposal adopted by a political subdivision for a cumulative or sinking fund for the approval of the department of local government finance, the notice of the submission shall be published one (1) time. The political subdivision shall publish the notice when directed to do so by the department of local government finance.

(h) If the event is the required publication of an ordinance, notice of the passage of the ordinance shall be published one (1) time within thirty (30) days after the passage of the ordinance.

(i) If the event is one about which notice is required to be published after the event, notice shall be published one (1) time within thirty (30) days after the date of the event.

~~(j) If the event is anything else, notice shall be published two (2) times, at least one (1) week apart, with the second publication made at least three (3) days before the event.~~

~~(k) (j) If any officer charged with the duty of publishing any notice required by law is unable to procure advertisement:~~

~~(1) at the price fixed by law;~~

~~(2) because the newspaper refuses to publish the advertisement; or~~

~~(3) because the newspaper refuses to post the advertisement on the newspaper's Internet web site (if required under section 1.5 of this chapter);~~

it is sufficient for the officer to post printed notices in three (3) prominent places in the political subdivision, instead of publication of the notice in newspapers and on an Internet web site (if required under section 1.5 of this chapter).

~~(l) If a notice of budget estimates for a political subdivision is published as required in IC 6-1.1-17-3, and the published notice contains an error due to the fault of a newspaper, the notice as presented for publication is a valid notice under this chapter. This subsection expires January 1, 2015.~~

~~(m) Notwithstanding subsection (j), if a notice of budget estimates for a political subdivision is published as required in IC 6-1.1-17-3, and if the notice is not published at least ten (10) days before the date fixed for the public hearing on the budget estimate due to the fault of a newspaper, the notice is a valid notice under this chapter if it is published one (1) time at least three (3) days before the hearing. This subsection expires January 1, 2015.~~

SECTION 3. IC 6-1.1-33.5-6, AS AMENDED BY P.L.112-2012, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) With respect to any township or county for any year, the department of local government finance may initiate a review to determine whether to order a special reassessment under this chapter. The review may apply to real property or personal property, or both.

(b) If the department of local government finance determines under subsection (a) to initiate a review with respect to the real property subject to reassessment under IC 6-1.1-4-4 within a township or county, or a portion of the real property within a township or county, the division of data analysis of the department shall determine for the real property under consideration and for the township or county the variance between:

(1) the total assessed valuation of the real property within the township or county; and

(2) the total assessed valuation that would result if the real property within the township or county were valued in the

manner provided by law.

(c) If the department of local government finance determines under subsection (a) to initiate a review with respect to the real property within a particular cycle under a county's reassessment plan prepared under IC 6-1.1-4-4.2 or a part of the real property within a cycle, the division of data analysis of the department shall determine for the real property under consideration and for all groups of parcels within a particular cycle the variance between:

(1) the total assessed valuation of the real property within all groups of parcels within a particular cycle; and

(2) the total assessed valuation that would result if the real property within all groups of parcels within a particular cycle were valued in the manner provided by law.

(d) If the department of local government finance determines under subsection (a) to initiate a review with respect to personal property within a township or county, or a part of the personal property within a township or county, the division of data analysis of the department shall determine for the personal property under consideration and for the township or county the variance between:

(1) the total assessed valuation of the personal property within the township or county; and

(2) the total assessed valuation that would result if the personal property within the township or county were valued in the manner provided by law.

(e) The determination of the department of local government finance under section 2 or 3 of this chapter must be based on a statistically valid assessment ratio study.

(f) If a determination of the department of local government finance to order a special reassessment under this chapter is based on a coefficient of dispersion study, the department shall publish the coefficient of dispersion study for the township or county in accordance with ~~IC 5-3-1-2(j)~~ IC 5-3-1-2(b).

(g) If:

(1) the variance determined under subsection (b), (c), or (d) exceeds twenty percent (20%); and

(2) the department of local government finance determines after holding hearings on the matter that a special reassessment should be conducted;

the department shall contract for a special reassessment to be conducted to correct the valuation of the property.

(h) If the variance determined under subsection (b), (c), or (d) is twenty percent (20%) or less, the department of local government finance shall determine whether to correct the valuation of the property under:

(1) IC 6-1.1-4-9 and IC 6-1.1-4-10; or

(2) IC 6-1.1-14.

(i) The department of local government finance shall give notice to a taxpayer, by individual notice or by publication at the discretion of the department, of a hearing concerning the department's intent to cause the assessment of the taxpayer's property to be adjusted under this section. The time fixed for the hearing must be at least ten (10) days after the day the notice is mailed or published. The department may conduct a single hearing under this section with respect to multiple properties. The notice must state:

(1) the time of the hearing;

(2) the location of the hearing; and

(3) that the purpose of the hearing is to hear taxpayers' comments and objections with respect to the department's intent to adjust the assessment of property under this chapter.

(j) If the department of local government finance determines after the hearing that the assessment of property should be adjusted under this chapter, the department shall:

(1) cause the assessment of the property to be adjusted;

(2) mail a certified notice of its final determination to the county auditor of the county in which the property is located; and



(3) notify the taxpayer as required under IC 6-1.1-14.

(k) A reassessment or adjustment may be made under this section only if the notice of the final determination is given to the taxpayer within the same period prescribed in IC 6-1.1-9-3 or IC 6-1.1-9-4.

(l) If the department of local government finance contracts for a special reassessment of property under this chapter, the department shall forward the bill for services of the reassessment contractor to the county auditor, and the county shall pay the bill from the county reassessment fund."

Renumber all SECTIONS consecutively.

(Reference is to SB 530 as printed February 20, 2015.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

PRICE, Chair

Report adopted.

### ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1140, 1188 and 1335 on March 26.

### ENROLLED ACTS SIGNED

The Speaker announced that he had signed Senate Enrolled Act 101 on March 25.

### OTHER BUSINESS ON THE SPEAKER'S TABLE

#### HOUSE MOTION

Mr. Speaker: I move that Representative Frye be added as cosponsor of Engrossed Senate Bill 177.

VANNATTER

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Moed be added as cosponsor of Engrossed Senate Bill 242.

SPEEDY

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Niezgodski be added as cosponsor of Engrossed Senate Bill 283.

BURTON

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representatives Clere and Davisson be added as cosponsors of Engrossed Senate Bill 294.

BROWN, T.

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representatives GiaQuinta and Huston be added as cosponsors of Engrossed Senate Bill 297.

DERMODY

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Kirchhofer be added as cosponsor of Engrossed Senate Bill 324.

MCMILLIN

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative DeLaney be added as cosponsor of Engrossed Senate Bill 361.

MCMILLIN

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representative Bartlett be added as cosponsor of Engrossed Senate Bill 394.

MCMILLIN

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative M. Smith be added as cosponsor of Engrossed Senate Bill 413.

HUSTON

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative T. Brown be added as cosponsor of Engrossed Senate Bill 461.

CLERE

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representatives Leonard, Sullivan and Stemler be added as cosponsors of Engrossed Senate Bill 467.

CULVER

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representative Frye be added as cosponsor of Engrossed Senate Bill 474.

KOCH

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative GiaQuinta be added as cosponsor of Engrossed Senate Bill 515.

SOLIDAY

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representatives Cherry, Klinker and Kersey be added as coauthors of House Concurrent Resolution 48.

BURTON

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Rhoads be added as coauthor of House Resolution 32.

MAHAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lehman be added as coauthor of House Resolution 37.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Clere and Klinker be added as cosponsors of Senate Concurrent Resolution 19.

FRIEND

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bill 1188 and the same is herewith returned to the House.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1093, 1157, 1194, 1394, 1396, 1435, 1438 and 1603 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 44, 45, 47 and 49 and the same are herewith returned to the House.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 38, 39 and 40 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Richardson, the House adjourned at 12:55 p.m., this twenty-sixth day of March, 2015, until Monday, March 30, 2015, at 1:30 p.m.

BRIAN C. BOSMA  
Speaker of the House of Representatives

M. CAROLINE SPOTTS  
Principal Clerk of the House of Representatives